



CRL OP NO. 1564 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1564 of 2025

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Petitioner(s)

Vs

The State By, The Inspector Of Police,
The Inspector Of Police, Kitchipalayam Police Station, Salem.
Cr.No.582/2024.

Respondent(s)

For Petitioner(s):

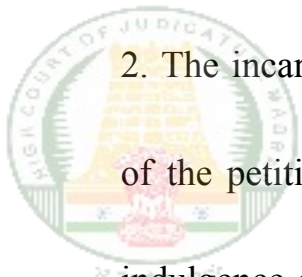
M/s.S. Sengkodi
S.Prabhakar
R.Siranjeevi
R.Anishkumar

For Respondent(s):

Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.582 of 2024 registered for the offence punishable under Section 8(c) r/w 20(b)(ii)(A), 29(1) of of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 77 of Juvenile Justice Act, 2015, is on board for consideration.



2. The incarceration of the petitioner being from 21.12.2024 pleading innocent part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner, who is no way connected with

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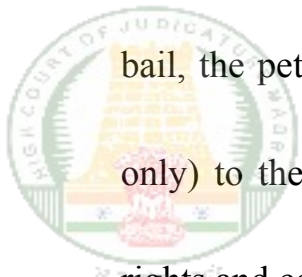
the alleged offence and the petitioner is ready to abide by any stringent condition that may be imposed by this Court. He further submits that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.10,000/- to any welfare scheme of the Government or any other organization.

3. The case of the prosecution as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail to the petitioner is that, the petitioner along with other accused were found in possession of 150 grams of Ganja and a cash of Rs.2,150 obtained through selling of Ganja. He also submitted that the petitioner has one previous case, which is in similar nature.

4. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

5. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and taking into consideration the voluntary submission made by the petitioner offering to deposit a considerable amount to any charitable organization or

<https://www.madrasbar.org/> association, this Court is of the opinion that as one of the conditions for grant of anticipatory



bail, the petitioner may be directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of "**Seva Chakkara Samajam Orphanage**" , without prejudice to his rights and contentions before the trial Court.

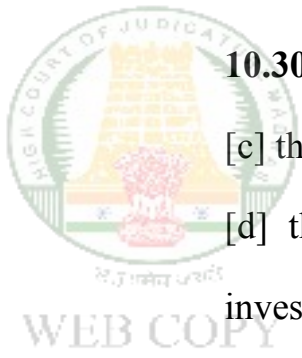
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6. It is made clear that merely because the petitioner is depositing the amount, it would not amount to the petitioner admitting his guilt in the criminal case and such amount is being paid without prejudice to the right of the petitioner.

7. Accordingly, the petitioner shall make a non refundable deposit of **Rs.10,000/- (Rupees Ten Thousand only)** by way of Demand Draft/RTGS/NEFT to the credit of the **Seva Chakkara Samajam Orphanage, A/c.No. 0943101024681, IFSC Code No. CNRB0000943, Canara Bank, Vepery Branch** and the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate-II Salem** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent Police, everyday at



10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]*;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

23-01-2025

msv

To

1. The Judicial Magistrate- II Salem
2. The Superintendent,
Central Prison, Salem.
3. The Inspector Of Police,
Kitchipalayam Police Station,
Salem.
4. The Public Prosecutor, High Court of Madras.

A.D.JAGADISH CHANDIRA.,J.



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