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Cr.L.O.P.No. 2123 of 2025

N THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Cr.L.O.P.No.2123 of 2025

Sathish Kumar

... Petitioner/Accused No.2

Vs.

The State Rep. by its
Inspector of Police,
N4 Fishing Harbor Police Station
Chennai.
(Crime No. 449 of 2024)

... Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail in the
above Cr.No. 449 of 2024 on the file of the respondent.

For Petitioner : Mr. G.Ezhilbalaji

For Respondent : Mr. A.Gopinath
Government Advocate (Cr.L.Side)



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ORDER

Petition seeking bail in respect of Crime No.449 of 2024 registered for the offences punishable under Sections 8(c) 20(b)(ii)(B), 25 and 29(1) of NDPS Act 1985, is on board for consideration.

2. The case of the prosecution is that the petitioner along with two other accused were found in possession of 1.200 kgs of Ganja and thus committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that the allegations are false and that in any case, the petitioner was arrested on 27.12.2024 and that his further custody is not required for the purpose of investigation, the petitioner may be granted bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police per contra would submit that the petitioner has 11 previous cases; out of which three cases are pending and the other cases are disposed of.



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5. On perusal of the counter, it is seen that though the petitioner has committed three similar offences for possession of intermediate quantity, is on bail in all other cases. The petitioner is in custody from 27.12.2024 and since the further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on 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 **XVI Metropolitan Magistrate, George Town, Chennai** 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 on everyday at 10.30 a.m., until further orders;

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



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[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.

05.02.2025

vsg

To

1. XVI Metropolitan Magistrate,
George Town, Chennai.
2. The Inspector of Police,
N4 Fishing Harbor Police Station
Chennai.
3. Central Prison, Puzhal, Chennai
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

vsg

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