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Crl.O.P.No. 2821 of 2025

N THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2821 of 2025

Clinton Chrishtopher

... Petitioner/Accused No.2

Vs.

State Rep. by
Inspector of Police,
M-5, Ennore Police Station
Tiruvallur District,
(Crime No. 983 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
Crime No. 983 of 2024 pending on the file of the respondent.

For Petitioner : Mr. M.Muthuramalingam

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



CrI.O.P.No. 2821 of 2025

ORDER

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Petition seeking bail in respect of Crime No.983 of 2024 registered for the offences punishable under Sections 8(c), 22(b) and 29(1) of NDPS Act, is on board for consideration.

2. The case of the prosecution is that the petitioner along with other accused were found in possession of 15 grams of Methamphetamine for sale which was seized by the respondent.

3. The learned counsel for the petitioner would submit that the above said possession is intermediate quantity; that the petitioner is in custody from 18.12.2024 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 four previous cases out of which one case is under Section 302 IPC.



5. The learned counsel for the petitioner in response would submit that those cases were registered in the year 2022.

6. Considering the nature of allegations, the period of incarceration and the fact that the further custody of the petitioner 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 **Principal Sessions Judge EC and NDPS Court, 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;



CrI.O.P.No. 2821 of 2025

WEB COPY

[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. Principal Sessions Court
EC and NDPS Court,
Chennai.
2. The Inspector of Police,
M-5, Ennore Police Station
Tiruvallur District,
3. Central Prison, Puzhal, Chennai
4. The Public Prosecutor,
High Court of Madras.



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CrI.O.P.No. 2821 of 2025

SUNDER MOHAN., J.

vsg

CrI.O.P.No.2821 of 2025

05.02.2025