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CrI.O.P.No.32105 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2025

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.32105 of 2024

Naveen Kumar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
T-15 SRMC Police Station,
Chennai District.
(Crime No.465 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioners on bail, in C.C.No.871 of 2024 in connection with Crime No.465 of 2024, pending on the file of the Principal Special Court for EC and NDPS Act Cases at Chennai.

For Petitioner : Mr. S. Kasirajan

For Respondent : Mr. Leonard Arul Joseph Selvam
Government Advocate (CrI.Side)



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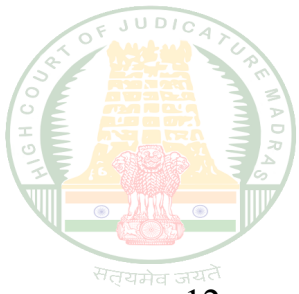
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ORDER

Petition seeking bail in respect of C.C.No.871 of 2024 in Crime No.465 of 2024 registered for the alleged offences punishable under Sections 8(c), r/w 22(b), 22(c) and 29(1) of the NDPS Act, is on board for consideration.

2. The incarceration of the petitioner being from 29.07.2024 pleading innocence on the 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 the alleged offence, 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.5,000/- to any welfare scheme of the Government or any other organization.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner along with other accused was found to be in illegal possession of 30 nos. of Ecstasy tablets weighing about



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12 grams and 8 grams of Methamphetamine (commercial quantity). He also submitted that the investigation was completed and charge sheet has been filed before the Principal Special Judge, Special Court for EC and NDPS Act, Chennai in C.C.No.871 of 2024. He also submitted that the petitioner has two other cases, out of which, one case is pending for framing charges before the II Additional District Judge, Poonamallee in S.C.No.282 of 2023 and posted on 03.02.2025.

4. In reply, the learned counsel for the petitioner also undertakes that the petitioner would appear before the Trial Court on all hearing dates without fail.

5. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.5,000/- (Rupees Five Thousand only)** to the credit of "**Tamil Nadu Advocate's Clerk's Association, Account No.484026006, Branch : Indian Bank, High Court, IFSC No. IDIB000M157**", without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.



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6. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and taking note of the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner on condition that **the petitioner shall report before the Trial Court on all working days, failing which, the bail granted to the petitioner will automatically stands cancelled** and with certain other conditions and accordingly, 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 Principle Special Judge for EC & NDPS Act Cases at 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, everyday at 06.30 p.m., until further orders.



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[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.

28.01.2025

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A.D.JAGADISH CHANDIRA, J.

stn

To

1. The Principle Special Judge for EC & NDPS Act,
Chennai.
2. The Inspector of Police,
T-15 SRMC Police Station,
Chennai.
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

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