



Crl.O.P.(MD) No.944 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2025

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD) No.944 of 2025

Saiyad Usain @ Syed Hussain

... Petitioner/ Accused

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Mangalampet Police Station,
Cuddalore District.
Crime No.344 of 2022

... Respondent/ Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to enlarge the petitioner/ Accused on bail in C.C.No.110 of 2023 in Crime No.344 of 2022 pending on the file of the Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur.

For Petitioner : Mr.Krishnasamy Chinnasamy

For Respondent : Mr.S.Ravi

Additional Public Prosecutor

O R D E R

The petitioner/accused, who was arrested and remanded to judicial custody for the offences under Sections 8(C) r/w 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, on the file of the respondent, seeks bail.



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2.The petitioner was facing trial before the Special Court in C.C.No.110 of 2023. He was not present at the time of hearing on 29.11.2023 and hence NBW was issued against the petitioner. The petitioner was able to be secured and produced before the Court only on 19.11.2024 and the petitioner was remanded to judicial custody.

3.The learned Additional Public Prosecutor submitted that the case is posted for framing charges today before the trial Court. The learned Additional Public Prosecutor further submitted that there is one previous case against the petitioner and the petitioner is the sole accused in this case. He further submitted that two kilograms of ganja is involved in this case.

4.Heard Mr.Krishnasamy Chinnasamy, learned counsel for the petitioner and Mr.S.Ravi, learned Additional Public Prosecutor appearing on behalf of the respondent.

5.Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner is suffering incarceration from 19.11.2024 and



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considering the age of the petitioner and also of the fact that the case is now posted for framing charges today and also taking note of the undertaking given by the petitioner that he will appear before the trial Court during every date of hearing without fail, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur 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 learned Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur, on every date of hearing without fail;



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[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond 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 petitioners 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.2023.

sd/-
20/01/2025

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20/01/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PKN



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TO
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- 1 THE ADDITIONAL DISTRICT JUDGE/
PRESIDING OFFICER, SPECIAL COURT UNDER
ESSENTIAL COMMODITIES ACT, THANJAVUR.
- 2 THE INSPECTOR OF POLICE,
MANGALAMPET POLICE STATION, CUDDALORE DISTRICT.
- 3 THE SUPERINTENDENT
CUDDALORE CENTRAL PRISON, CUDDALORE.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.KRISHNASAMY CHINNASAMY, Advocate (SR-523[I] dated
20/01/2025)

ORDER

IN

CRL OP(MD) No.944 of 2025

Date :20/01/2025

SS/SAR- /20/01/2025/ 5P/6C

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