

(2024) 03 MAD CK 0120

Madras High Court

Case No: Criminal Original Petition No. 7865 Of 2024

Veenadeepak

APPELLANT

Vs

State

RESPONDENT

Date of Decision: March 28, 2024

Acts Referred:

- Narcotic Drugs And Psychotropic Substances Act, 1985 - Section 8(c), 20(b)(ii)(A)
- Tamil Nadu Prohibition Act, 1937 - Section 4(1)(a), 4(1A)(ii)

Hon'ble Judges: C.V.Karthikeyan, J

Bench: Single Bench

Advocate: B.Sundarapandiyan, L.Baskaran

Judgement

C.V.Karthikeyan, J

1. The petitioner/accused in Crime No.95 of 2024 who was arrested and remanded to judicial custody on 07.03.2024, registered by the respondent police for the offences 8(c) r/w 20(b)(ii)(A) of NDPS Act and under Section 4(1)(a), 4(1-A)(ii) of TN Prohibition Act seeks bail.

2. It is stated that the petitioner was arrested on 07.03.2024 with possession of 150 grams of ganja and 2 litres of ID arrack.

3. Taking all the factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions.

4. Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 Judicial Magistrate, Sholinghur 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, daily at 10.00 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 229A IPC.