



Crl.M.P.No.2591 of 2022
in Crl.O.P.No.9962 of 2020

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A.D.JAGADISH CHANDIRA,J.

Learned counsel for the petitioner would submit that the petitioner is the third accused in Crime No.212 of 2020, registered by the respondent for offences under Sections 302, 323, 201 of I.P.C. r/w 34 of I.P.C. This Court, by an order dated 08.07.2020, had granted bail to the petitioner imposing a condition that the petitioner shall surrender his passport and that he should furnish two sureties from the Union Territory of Puducherry for a sum of Rs.10,000/- (Rupees Ten Thousand only) each before the learned Judicial Magistrate II, Karaikal.

2. He would further submit that the petitioner came to India accompanying his parents when he was 9 years old. As per guideline 2A(v) of the General Policy Guidelines relating to Indian Visa for Nepal citizen, the petitioner is not required to carry any documents and as such, the petitioner does not have any passport. After coming to Puducherry, his father passed away



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and his mother left the petitioner and joined with someone else and her whereabouts is not known. However, this Court directed the petitioner to surrender his passport, he is unable to surrender the same. He would also submit that in lieu of the petitioner unable to surrender his passport, he is prepared to produce one Government Surety from Puducherry and thereby, he would submit that he seek for modification of condition.

3. Learned Additional Public Prosecutor, Puducherry would submit that investigation has been completed and trial has commenced and the case now stands ripe for trial in S.C.No.21 of 2021 on the file of the Sessions Judge, Karaikal. He would also submit that the petitioner may be directed to furnish the details of his sister in Nepal.

4. Heard the learned Counsel appearing for the petitioner and the learned Additional Public Prosecutor, Puducherry appearing for the respondent.

5. In view of the above, the condition imposed upon the petitioner in Crl.O.P.No.9962 of 2020 vide order dated 08.07.2020 in para 6(a) and 6(e) are



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modified as follows, the condition 6(c) stands removed and all other conditions remains unaltered.

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(i) The petitioner is ordered to be released on bail on executing his own bond for a sum of Rs.10,000/- with two sureties from the Union Territory of Puducherry for a sum of Rs.10,000/- (Rupees Ten Thousand only) each before the learned **Sessions Judge, Karaikal** and one of the above said sureties shall be a Government Servant from Puducherry.

(ii) The petitioner shall appear before the Sessions Judge, Karaikal, on all working days without fail, until further orders.

14.03.2022

rgi/ham

Note: Issue order copy on 15.03.2022



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A.D.JAGADISH CHANDIRA.,J

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To

1. The Sessions Judge,
Karaikal.
2. The Station House Officer,
Karaikal Police Station,
Karaikal.
3. The Superintendent,
Central Jail,
Pondicherry.
4. The Public Prosecutor,
High Court of Madras.

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