



Crl.O.P.No.22547 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2022

CORAM

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

Crl.O.P.No.22547 of 2022

1.Surya
2.Vasanth

... Petitioners

Vs.

The State represented by,
Station House Officer,
Bahour Police Station,
Puducherry.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner/accused on bail in Crime No.102 of 2022,
pending investigation, on the file of the Respondent-Police and thus render
justice.

For Petitioners : Mr.A.Anandharaj

For Respondent : Mr.V.Balamurugane
Public Prosecutor (Puducherry)



Crl.O.P.No.22547 of 2022

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ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.08.2022 for the offences punishable under Sections 20(b)(ii)(A) and Section 8(c) of NDPS Act, Section 34 of IPC and Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.102 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 08.08.2022, on receipt of a secret information, when the respondent police conducted a search, the petitioner/accused was found in illegal possession of Ganja and the respondent police seized the same. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. Therefore, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor, Puducherry appearing



CrI.O.P.No.22547 of 2022

for the respondent would submit that the petitioner was found in illegal possession of Ganja. He would further submit that the petitioner has no previous cases as against him. Therefore, he vehemently opposed to grant bail to the petitioner.

5. Heard both the learned counsel and perused the materials available on record.

6. Taking into consideration of the facts and circumstances of the case and the submissions made by the learned counsel, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate-IV, Puducherry** and on further conditions that:

[a] the sureties shall affix their photographs and



Crl.O.P.No.22547 of 2022

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 10.30 a.m., and 05.30 p.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 abscond, a fresh FIR can be registered under Section 229A IPC.

16.09.2022

nst/rgi



CrI.O.P.No.22547 of 2022

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To

1. Judicial Magistrate-IV, Puducherry
2. Station House Officer,
Bahour Police Station,
Puducherry.
3. The Superintendent,
Central Prison,
Puducherry.
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.22547 of 2022

A.D.JAGADISH CHANDIRA., J.

nst/rgi

Crl.O.P.No.22547 of 2022

16.09.2022