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CrI.OP.No.15358 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.07.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

CrI.OP.No.15358 of 2023

Vasanth

..Petitioner

Vs.

State Rep by its,
The Station House Officer,
Thirubavani Police Station,
Pudhucherry,
Crime No.87 of 2023.

...Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in connection with Crime No.87 of 2023 on the file of the Respondent Police pending investigation.

For Petitioner : Mr.K.Gandhi Kumar
For Respondent : Mr.Ramachandramurthy
Additional Public Prosecutor
Assisted by Mr.Alex

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.06.2023 for the offence punishable under Sections 20 (b) (ii) (A) & 8 (c) of Narcotic Drugs & Psychotropic Substances Act, 1985 and Section 77 of Juvenile Justice (Care and Protection of Children) Act,



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2015, in Crime No.87 of 2023, on the file of the respondent police seeks bail.

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2.The learned counsel for the petitioner submitted that, petitioner is innocent and falsely implicated in crime No.87 of 2023, on the file of the respondent police. He is a student pursuing B.Com course and he is judicial custody from 24.06.2023 and seeks bail for the petitioner.

3. In response, learned Government Advocate (Crl. Side) submitted that there are three accused in this case and 110 grams of Ganja was recovered from all the three accused. From the petitioner/A3, 60 grams of Ganja was recovered.

4. Considering the small quantity of Ganja recovered from the petitioner and there is no previous case pending against the petitioner and that he is a student who is in judicial custody from 24.06.2023, this Court is inclined to grant bail to the petitioner.



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5. 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 No.IV, Puducherry** 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 10.30.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



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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.

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To

1. Judicial Magistrate No.IV, Puducherry.
2. The Station House Officer,
Thirubavani Police Station,
Pudhucherry,
Crime No.87 of 2023.
3. Central Prison,
Kalapet, Puducherry.
4. The Public Prosecutor,
High Court of Madras



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G.CHANDRASEKHARAN. J.

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