



Crl.OP.No.22106 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2023

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

Crl.OP.No.22106 of 2023

P.Isaidhasan

...Petitioner

Vs.

State represented by the
Inspector of Police,
Reddiarpalayam Police Station,
Puducherry.

(Crime No.143 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No. 143 of 2023 on the
file of respondent police on such terms and conditions.

For Petitioner : Mr.N.Anbarasan

For Respondent : Mr.K.S.Mohandoss
Public Prosecutor (Puducherry)



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ORDER

The petitioner is an accused in Crime No.143 of 2023 registered by the respondent police for the offence punishable under Sections 20(b)(ii)(B) of NDPS Act, 1985, r/w Section 8(c) of NDPS Act, 1985 and Section 77 of J.J Act (Care and Protection of Children Act), and he was arrested and remanded to judicial custody on 27.08.2023, seeks bail.

2. It is the case of the prosecution that the petitioner was found in possession of 2300 grams of dried ganja in a polythene carry bag. Hence, the case.

3. The learned counsel for the petitioner stated that the petitioner is an innocent person and he has been falsely implicated in this case. He further stated that the petitioner is a heart patient and he suffered heart attack on two occasions. He also stated that the petitioner is ready to abide by any condition imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the



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respondent stated that the petitioner was found in possession of 2300 grams of ganja. He further stated that investigation has been completed and final report had also been filed before the jurisdictional Court. However, he opposed to grant bail to the petitioner.

5. Taking into consideration the facts and circumstances, 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 III ADJ (Under NDPS Act), 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



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respondent Police daily morning at 10.30 a.m., and evening at 6.00 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 absconds, a fresh FIR can be registered under Section 229A IPC.

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To

1. III ADJ (Under NDPS Act), Puducherry.
2. Central Jail, Kalapet, Puducherry.
3. The Public Prosecutor,
High Court of Madras

C.V.KARTHIKEYAN. J.

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