



CrI.OP.No.23403 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2023

CORAM

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

CrI.OP.No.23403 of 2023

Moison

...Petitioner

Vs.

State by
The Station House Officer,
Grand Bazaar Police Station,
Puducherry.
Crime No.177 of 2023

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner/Accused on bail concerned in Crime No.177 of 2023 pending on the file of the respondent police.

For Petitioner : Mr.R.Parthiban

For Respondent : Mr.M.S.Ramadoss
Public Prosecutor (Puducherry)
Assisted by Mr.N.Danalatchumy

ORDER

The petitioner/A1, who was arrested and remanded to judicial custody on 05.09.2023 for the offence punishable under Sections



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20(b)(ii)(B) of NDPS Act r/w Section 8(c) of NDPS Act and Section 77 of Juvenile Justice Act r/w Section 34 of IPC, in Crime No.177 of 2023 on the file of the respondent police, seeks bail.

2.It is stated that the petitioner was found in possession of 1.124 grams of Ganja which is an intermediate quantity.

3.It is stated by the respondent that there is no previous case pending against the petitioner.

4.Taking into consideration the period of incarceration and the quantity of contraband and there is no previous case against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions;

5.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 III Additional Sessions Judge, Puducherry, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the



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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 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.

11.10.2023

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To

- 1.The III Additional Sessions Judge, Puducherry
- 2.Central Prison, Kalapet, Puducherry.



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3.The Station House Officer,
Grand Bazaar Police Station,
Puducherry.

4.The Public Prosecutor (Puducherry),
High Court of Madras.

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