



WEB COPY



Crl.OP.No.23680 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2023

CORAM

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

Crl.OP.No.23680 of 2023

Hariharasudhan S/o. Senthilkumar

...Petitioner

Vs.

State by
The Station House Officer,
Orleanpet Police Station,
Puducherry.
(Crime No.229 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner/Accused 2 on bail concerned in Crime No.229 of 2023 pending on the file of the respondent police.

For Petitioner : Mr.E.Anbarasan

For Respondent : Mr.M.V.Ramachandra Murthy
Additional Public Prosecutor

ORDER

The petitioner/A2, who was arrested and remanded to judicial



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custody on 30.09.2023 for the offences punishable under Sections 20(b)(ii)A r/w 8(C) of NDPS Act, 1985, and Section 77 of Juvenile Justice Act r/w Section 34 of IPC, in Crime No.229 of 2023 on the file of the respondent police, seeks bail.

2.It is stated that the petitioner along with other accused were found in constructive possession of 200 grams of Ganja and cash of Rs.11,500/-.

3.It is seen from the petition that the said contraband and cash of Rs.11,500/- had been recovered from the accused.

4.Taking into consideration the period of incarceration and nature of offence, 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 Special Judge (Principal District Judge), Pondicherry, and on



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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 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.

13.10.2023

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C.V.KARTHIKEYAN. J.

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To

- 1.The Special Judge (Principal District Judge), Pondicherry.
- 2.Central Prison, Kalapet, Puducherry.
- 3.The Station House Officer,
Orleanpet Police Station,
Puducherry.
- 4.The Public Prosecutor (Puducherry),
High Court of Madras.

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