



Crl.OP.No.24149 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2023

CORAM

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

Crl.O.P.No.24149 of 2023

Velu @ Mangaiyarkarasan

...Petitioner

Vs.

The State represented 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 on bail in connection with the case in Crime No.177 of 2023 pending investigation on the file of the Respondent police.

For Petitioner : Mr.R.Parthiban

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.09.2023 for the offence punishable under Section 20(b)(ii)(B) of NDPS Act, r/w Section 8(c) of NDPS Act, 1985, and Section 77 of Juvenile Justice Act, 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 Kgs of ganja.

3.It is stated that the petitioner is having one previous case pending against him.

4.It is also stated that A1 had been granted bail by the learned Single Judge of this Court by an order dated 11.10.2023 in Crl.O.P.No.23403 of 2023.

5.Taking into consideration the fact that the said contraband is an intermediate quantity, I am inclined to grant bail to the petitioner with certain conditions:



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6. 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 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 on everyday 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



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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.

20.10.2023

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To

- 1.The III Additional Sessions Judge, Puducherry.
- 2.The Central Prison, Kalapet, Puducherry.
- 3.The Station House Officer,
Grand Bazaar Police Station,
Puducherry.
- 4.The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN.J

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