



Crl.OP.No.24788 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2023

CORAM

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

Crl.OP.No.24788 of 2023

1.Mushraf S/o. Babar Ali
2.S.Sugu @ Sugumar S/o. Sakthivel ... Petitioners/Accused 2 & 3

Vs.

State by
The Inspector of Police,
Thavalakuppam Police Station,
Puducherry.

(Crime No.124 of 2023) ...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioners on bail concerned in Crime No.124 of
2023 on the file of the respondent police.

For Petitioners : Mr.K.Kannadhasan

For Respondent : Mr.K.S.Mohandoss
Public Prosecutor (Puducherry)
Assisted by Mr.N.Danalatchumy



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ORDER

The Petitioners seek bail in Crime No.124 of 2023, registered by the respondent for the offences punishable under Sections 20(b)(ii)(A) r/w 8(c) of NDPS Act, 1985 and Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015, r/w Section 34 of IPC. They had been taken into custody on 06.10.2023

2. It is stated that the petitioners were found in possession of 100 grams of dried ganja leaves.

3. Taking into consideration the fact that the contraband seized was an intermediate quantity and that the accused are college students, I am inclined to grant bail to the petitioners subject to the following conditions:

4. Accordingly, the petitioners are ordered to be released on bail on condition to execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties (one surety must be the mother or father of the accused), each for a like sum to the satisfaction of the



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learned Judicial Magistrate – I, 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 petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.

[c] the details that the petitioners are accused in Crime No.124 of 2023 registered by the Inspector of Police, Thavalakuppam Police Station, Puducherry, 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, 2015, r/w Section 34 of IPC should be registered in the College records of the petitioners.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] 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



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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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

02.11.2023

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To

- 1.The learned Judicial Magistrate – I, Puducherry.
- 2.Central Prison, Puducherry.
- 3.The Inspector of Police,
Thavalakuppam Police Station,
Puducherry.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

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