



Crl.O.P.No.24846 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2023

CORAM

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

Crl.O.P.No.24846 of 2023

Santhosh S/o. Selvam

... Petitioner/Accused

Vs.

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

(Crime No.248 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail concerned in Crime No.248 of
2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.K.Karthik

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



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ORDER

The petitioner seeks bail in Crime No.248 of 2023, registered by the respondent police for the offences punishable under Section 25(1)(a) of Arms Act, 1959, and Section 506(ii) of IPC r/w 34 of IPC.

2.It is stated that the petitioner had been remanded to judicial custody on 17.09.2023 for alleged possession of sickle (veechu aruvaal) and some cracker powder and chilli powder. It is stated that the intention of the accused was for committing dacoity or for any other offence.

3.The learned Public Prosecutor (Puducherry) for the respondent stated that there are five cases pending against the petitioner including offence under Section 302 of IPC.

4.In view of all these factors, I am inclined to grant bail to the petitioner subject to the following conditions:

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 Judicial Magistrate-II, 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



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their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police everyday Morning at 10.00 a.m., Afternoon at 2.00 p.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.

08.11.2023

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C.V.KARTHIKEYAN. J.

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To

1. The Judicial Magistrate – II, Puducherry.
2. The Central Prison, Cuddalore.
3. The Inspector of Police,
Villianur Police Station,
Puducherry.
4. The Public Prosecutor,
High Court of Madras.

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