



CrI.O.P.No.25277 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2023

CORAM

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

CrI.O.P.No.25277 of 2023

Balu S/o. Selvaraj

... Petitioner/Accused-1

Vs.

State by
The Station House Officer,
Lawspet Police Station,
Puducherry District.

(Crime No.138 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.138 of
2023 on the file of the respondent police.

For Petitioner : Mr.M.P.Yuvaraj

For Respondent : Mr.K.S.Mohandoss
Public Prosecutor (Puducherry)



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ORDER

The petitioner seeks bail in Crime No.138 of 2023, registered by the respondent police for the offences punishable under Sections 20(b)(ii)(A) r/w 8(c) of NDPS Act, and Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015. The petitioner had been remanded to judicial custody on 15.10.2023.

2. It is stated that the petitioner was found in possession of 240 grams of dried ganja leaves.

3. It is also stated that there is one previous case pending against the petitioner herein but however, taking into consideration the period of incarceration undergone by the petitioner and the fact that the contraband seized was an intermediate quantity, I am inclined to grant bail to the petitioner herein subject to the following conditions:

4. 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 No.I, Puducherry, and on further conditions that:



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[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 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 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.

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C.V.KARTHIKEYAN. J.

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To

1. The Judicial Magistrate No.I, Puducherry.
- 2.The Central Prison, Puducherry.
- 3.The Station House Officer,
Lawspet Police Station,
Puducherry District.
- 4.The Public Prosecutor,
High Court of Madras.

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