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CrI.O.P.No.28066 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2023

CORAM

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

CrI.OP.No.28066 of 2023

Sekar

...Petitioner

Vs.

State rep. by
The Inspector of Police,
Mettupalayam Police Station,
Puducherry,
Crime No.162/2023.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in FIR in Crime No.162 of 2023 on the file of the respondent police.

For Petitioner : Mr.P.Prince Premkumar
For Respondent : Mr.M.V.Ramachandra Murthy
Additional Public Prosecutor, Puducherry.

ORDER

The petitioner/A3 in Crime No.162 of 2023 registered under Sections 8(c) r/w 20 (b) (ii) (B) NDPS Act and Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015 and remanded to judicial custody on 15.09.2023 seeks bail.



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2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor, Puducherry.

3.There are totally four accused. From A1, 1 Kg of ganja was seized, from A2, 30grams of ganja was seized, from A3/petitioner herein and from A4, mobile phones were seized.

4.Taking the facts into consideration and the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following 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 **Judicial Magistrate -IV, 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.



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[b] the petitioner shall report before the respondent police everyday at 10.00 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.

sli

15.12.2023



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C.V.KARTHIKEYAN, J.

sli

To

1. The Judicial Magistrate - IV, Puducherry.

2.The Inspector of Police,
Mettupalayam Police Station,
Puducherry,
Crime No.162/2023.

4.Central Prison, Kalapet, Puducherry.

4.The Public Prosecutor, Puducherry.

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