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CrI.O.P.No.655 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2024

CORAM

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

CrI.O.P.No.655 of 2024

Aijith Kumar @ Anegan Aijith

... Petitioner

Vs.

The State represented by
The Station House Officer,
D-Nagar Police Station,
Puducherry.

Crime No.230 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.230 of 2023 on the file of
the respondent Police.

For Petitioner : Mr.B.Anbarasan

For Respondent : Mr.K.S.Mohandass
Public Prosecutor Puducherry
Assisted by Mrs.N.Danalatchumy

ORDER

The petitioner who was arrested and remanded to judicial custody
on 16.12.2023 for the offences registered under Section 20(b)(ii)(A) of NDPS



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Act r/w Section 8(c) of NPDS Act and Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.230 of 2023 on the file of the respondent Police, seeks bail.

2.It is the case of the prosecution that the petitioner was found in possession of 280 grams of Ganja.

3.It is stated by the learned Public Prosecutor (Puducherry) that there is no previous case against the petitioner.

4.Taking all the factors into consideration and the period of incarceration and also considering the quantity of Ganja seized, I am 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 learned Judicial Magistrate No.I, Pondicherry 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, everyday at 10.30 a.m., until further orders.



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[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.

12.01.2024

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To

1.The Judicial Magistrate No.I, Pondicherry.

2.The Station House Officer,
D-Nagar Police Station,
Puducherry.

3.The Central Prison, Kalapet, Pondicherry.

4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN,J.

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