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Crl.O.P.No.1407 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2024

CORAM

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

Crl.O.P.No.1407 of 2024

Raji @ Vetrivendhan

... Petitioner

Vs.

The State represented by
The Station House Officer,
Dhanvanthiri Nagar Police Station,
Puducherry.
Crime No.228 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.228 of 2023 on the file
of the respondent Police.

For Petitioner : Mr.D.Senthilkumar

For Respondent : Mr.K.S.Mohandass
Public Prosecutor (Puducherry)
Assisted by M/s.N.Danalatchumy

ORDER

The petitioner/A3 who was arrested and remanded to judicial
custody on 13.12.2023 for the offences registered under Sections 8(c) r/w



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20(b)(ii)(B) of NDPS Act, 1985 r/w Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.228 of 2023, on the file of the respondent Police, seeks bail.

2.It is the case of the prosecution that the petitioner along with other accused was found in illegal possession of 2.030 kgs of Ganja, which is intermediate quantity.

3.The learned Public Prosecutor (Puducherry) submitted that there is no previous case pending against the petitioner.

4.Taking all the factors into consideration and the period of incarceration and the also the quantity of contraband 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 Special Judge (III Additional Sessions Judge), 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 10.30 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.

07.02.2024

vkr

To

- 1.The Special Judge, III Additional Sessions Judge, Puducherry.
- 2.The Station House Officer,
Dhanvanthiri Nagar Police Station,
Puducherry.
- 3.The Central Prison, Puducherry.
- 4.The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN,J.
Vkr

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