



Crl.O.P.No.5906 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

CORAM

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

Crl.O.P.No.5906 of 2024

Sumanraja

...Petitioner/Accused-4

Vs.

State represented by
The Station House Officer,
Kirumampakkam Police Station,
Puducherry.

(Crime No.20 of 2024)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.20 of
2024 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.G.Vinodhkumar

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



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ORDER

The petitioner/A4 in Crime No.20 of 2024, registered by the respondent police for the offences under Sections 20(b)(ii)(A) r/w 8(c) of NDPS Act, 1985, and Section 77 of Juvenile Justice (Care and Protection of Children) Act, r/w 34 of IPC, seeks bail. The petitioner had been remanded to judicial custody on 25.02.2024.

2.It is stated that the petitioner and the other accused were found in possession of 350 grams of ganja. It is stated that from this petitioner, 50 grams of ganja had been seized.

3.The learned Mr.K.S.Mohandoss, Public Prosecutor (Puducherry), for the respondent stated the petitioner, who resides at Mayiladuthurai, was arrested within the jurisdiction of Union Territory of Puducherry, while selling ganja along with other accused near the Medical College. But however, taking into consideration the quantity of ganga seized, which is intermediate in nature and the period of incarceration, I am inclined to grant bail to the petitioner 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



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Thousand only) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate No.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.

[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.

11.03.2024

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C.V.KARTHIKEYAN. J.
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To

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

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