



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2024

CORAM

**THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI**

CrI.O.P.No.9231 of 2024

Akash @ Manivasagam

... Petitioner

Vs.

State Rep by.  
The Station House Officer,  
Ariyankuppam Police Station,  
Puducherry District.  
Crime No. 38 of 2024

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 439 of Cr.P.C.,  
pleaded to enlarge the petitioner on bail in crime No.38 of 2024 on the file of  
the respondent police.

For Petitioner : Mr.Yuvaraj  
For Respondent : Mr.K.S.Mohandass  
Public Prosecutor(Pondicherry)



WEB COPY



## **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 07.03.2024 for the alleged offences punishable under Sections **20 (b) (ii) (A) r/w 8 (c) of Narcotic Drugs and Psychotropic Substances Act 1985 and Section 77 of the Juvenile (Justice (Care and Protection of children) Act 2015 in crime No. 38 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the respondent police found the petitioner and other accused persons with the possession of 55 grams of Ganja nearby school premises. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. On the other side, the learned Government Advocate (Crl. side) submits that respondent police found the petitioner and other accused persons with the possession of 55 grams of Ganja and they used to sell the ganja to the school boys. Further, he stated that co-accused have been released on bail. Hence, he raised strong objection to grant bail to the petitioner.



WEB COPY



4. Considering the period of incarceration undergone by the petitioner and also co-accused have have been released on bail. Hence, this Court is inclined to grant bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties ( one must be a blood surety)**, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.III, 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 daily at 10.30 a.m., for a period of two months. Further, the petitioner is directed to deposit a sum of **Rs.10,000/- (Ten Thousand Only)** to



**the credit of Registered Advocate clerks Welfare Association, Puducherry, within a period of two weeks from the date of receipt of a copy of this order** and the learned Judicial Magistrate, after perusing the challan/receipt, shall accept the sureties furnished by the petitioner;

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

**16.04.2024**

*pbl*



WEB COPY



**T.V.THAMILSELVI,J.**

*pbl*

To

1. The **Judicial Magistrate No.III, Puducherry.**

2. The Station House Officer,  
Ariyankuppam Police Station,  
Puducherry District.

3. The Central Prison, Kalapet, Puducherry.

4. The Public Prosecutor,  
High Court of Madras.

**Crl.O.P.No.9231 of 2024**

**16.04.2024**