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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2024

CORAM

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

CrI.O.P.No.9525 of 2024

Manikandan @ Rajesh

... Petitioner

Vs.

State Rep by.
The Station House Officer,
Lawspet Police Station,
Puducherry.
Crime No. 44 of 2024.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to grant bail to the petitioner herein crime No. 44 of 2024, on the
file of the respondent police.

For Petitioner : Mr.A.N.Rajan
For Respondent : Mr.K.S.Mohandoss
Public Prosecutor (Pondicherry)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on **29.03.2024** for the alleged offences punishable under Sections **20(b)(ii)(A) r/w 8 (c) of (NDPS) Act 1985 and 77 of Juvenile Justice (Care and Protection of children) Act 2015 in crime No. 44 of 2024** on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused was found to be illegal possession of 60 grams of Ganja. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and he is an innocent person. Further, he submitted that contraband recovered from this petitioner is intermediate quantity. Learned counsel prays to grant anticipatory bail to the petitioner.

4. On the other side, the learned Government Advocate (Crl. side) submits that four accused were found to be illegal possession of 60 grams of Ganja. Further, he stated that there is three previous case pending against the petitioner. However, he raised objection to grant bail.



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5. Considering the period of incarceration undergone by the petitioner and the contraband recovered from this petitioner is intermediate quantity and also investigation is almost completed. Hence, this Court is inclined to grant bail to the petitioner.

6. 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 III Additional District Judge court (Under NDPS) Act, 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., until further order. Further, the petitioner shall deposit a sum of **Rs.20,000/- 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.

[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.

18.04.2024

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T.V.THAMILSELVI,J.

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To

1. The **III Additional District judge Court (Under NDPS) Act, Puducherry.**

2.The Station House Officer,
Lawspet Police Station,
Puducherry.

3. The Central Prison, Thalapet, Puducherry.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.9525 of 2024

18.04.2024