



CrI.OP.No.11276 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

THE HON'BLE MR. JUSTICE **K.KUMARESH BABU**

CrI.OP.No.11276 of 2024

Santhosh

...Petitioner

Vs.

The State rep. By,
Station House Officer,
Lawspet Police Station,
Through Special Public Prosecutor,
Puducherry.
Crime No.30 of 2024

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.30 of 2024 pending investigation on the file of the respondent/complainant.

For Petitioner : Mr.K.Thirukkumaran

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.02.2024 for the offence punishable under Sections 20(b)(ii)(A) r/w 8(c) of NDPS Act and Section 77 of J.J Act in Crime No.30 of 2024 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner stated that petitioner is innocent and he has been falsely implicated in this case. He further submitted that A1 and A3 have been granted bail by this Court. Thus, he seeks for grant of bail to the petitioner.

3. The learned Public Prosecutor (Puducherry) stated that petitioner was in illegal possession of 0.07 mgm of LSD stamps and selling it to the general public. Thus, he prays for dismissal of this petition.

4. Taking into consideration of the fact that A1 and A3 have been



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granted bail and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on executing 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 [Under NDPS Act], 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.

[b] the petitioner shall report before the respondent police weekly thrice i.e., Monday, Wednesday and Friday at 10.00 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



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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.

08.05.2024

gd

To

- 1.The Special Judge [Under NDPS Act], III, Additional Sessions Judge, Puducherry
- 2.Central Prison, Kalapet, Puducherry.
- 3.Station House Officer,
Lawspet Police Station,
Puducherry.
- 4.The Public Prosecutor,
High Court of Madras



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K.KUMARESH BABU, J.

gd

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