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CrI.O.P.No.30297 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.30297 of 2024

Perumal

... Petitioner

Vs.

The State represented by,
The Station House Officer,
Reddiarpalayam Police Station,
Puducherry.
(Crime No.195 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.195 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.A.Murugavel

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

ORDER

Petition seeking bail in respect of Crime No.195 of 2024 registered for the offences punishable under Section 20(b)(ii)(B) r/w Section 8(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 77 of Juvenile Justice Act, is on board for consideration.



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2. The incarceration of the petitioner/A2 being from 09.10.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the co-accused/A3 in this case has been granted bail by this Court in Crl.O.P.No.29023 of 2024 dated 21.11.2024 and the petitioner, who is in no way connected with the alleged offence, is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Public Prosecutor (Puducherry) appearing for the respondent police, opposing for grant of bail, is that the petitioner/A2 along with three other accused was found to be in illegal possession of 1.110 kilograms of Ganja for the purpose of selling the same to public including juveniles. He further submits that 3 previous cases registered for the offence under IPC are pending against the petitioner and the case is under investigation.

4. Having heard the learned counsel for the petitioner and the learned Public Prosecutor (Puducherry) for the respondent Police and perused the materials available on record including the counter filed by the respondent and considering the period of incarceration undergone by the petitioner, this court is



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inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **III Additional District 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, everyday at 06.30 p.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]***;



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A.D.JAGADISH CHANDIRA.,J.

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[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of B.N.S.

05.12.2024

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To

1. The III Additional District Court,
Puducherry.
2. The Station House Officer,
Reddiarpalayam Police Station,
Puducherry.
3. The Superintendent,
Central Prison, Kalapet.
4. The Public Prosecutor (Puducherry),
High Court of Madras.

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