



CrI.O.P.No.28775 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2024

CORAM

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

CrI.O.P.No.28775 of 2023

Jeeva @ Ramki
S/o. Ramki

...Petitioner/Accused-4

Vs.

State represented by
The Station House Officer,
Kalapet P.S,
Puducherry.
[Crime No.131 of 2023]

...Respondent/Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.131 of 2023 on the
file of the respondent police.

For Petitioner : Mr. Vinoth Ravi

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



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ORDER

The petitioner/A4, who was arrested and remanded to judicial custody on 07.12.2023 for the offences punishable under Sections 8(c), 21(b), 22(c) of NDPS Act, 1985 r/w Section 34 of IPC in Crime No.131 of 2023, seeks bail.

2.It is stated that there are totally seven accused. It is stated that from the possession of A1 and A2, the respondent had seized nine small pockets of MDMA (Methylene-dioxy-methamphetamine) weighing around 6.7 grams and the petitioner herein was standing close to that particular place.

3.The learned counsel for the petitioner stated that the petitioner had questioned the other persons, who were standing and who happened to be the police officials and they had taken the petitioner into custody.

4.The only factor, which swings to grant bail to the petitioner is that, there has been no seizure from the petitioner herein. Therefore, this Court is inclined to grant bail to the petitioner herein, subject to the following conditions:



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5. 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 Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate – II, 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



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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.

05.01.2024

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To

1. The Judicial Magistrate – II, Puducherry.
2. The Central Prison, Kalapet, Puducherry.
3. The Station House Officer,
Kalapet P.S,
Puducherry.
4. The Public Prosecutor,
High Court of Madras.

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