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CrI.O.P.No.7371 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.7371 of 2025

Dinesh @ Sebastian

...Petitioner/Accused 1

Vs.

State rep by
The Station House Officer,
Mangalam Police Station,
Pondicherry.

(Crime No.26 of 2025)

...

Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.26 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.G.Ezhilbalaji

For Respondent : Mr.M.V.Ramachandra Murthy
Additional Public Prosecutor
Puducherry.



Crl.O.P.No.7371 of 2025

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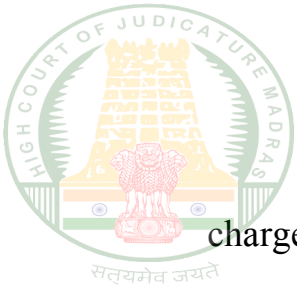
ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 28.02.2025, seeking bail in Crime No.26 of 2025 registered for the offence under Section 25(1)(a) of Arms Act, 1959 and Section 351(3) of BNS, 2023.

2.It is the case of the prosecution that the petitioner along with the other accused were found threatening the public by brandishing deadly weapons. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false; that the petitioner is in custody from 28.02.2025 and that in any case, considering the period of incarceration, he may be released on bail.

4.Per contra, the learned Additional Public Prosecutor, Puducherry, reiterated the prosecution case and submitted that there are eleven previous cases pending against the petitioner and he is on bail in those cases and that



charge sheet has been filed.

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5.Heard the learned counsel on either side and perused the materials available on record.

6.Considering the nature of allegations, period of incarceration, the fact that the petitioner is on bail in the previous cases, the charge sheet has been filed and since further custody of the petitioner is not required, this Court is inclined to grant bail to the petitioner with certain conditions.

7.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 **Judicial Magistrate No.IV, 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,



CrI.O.P.No.7371 of 2025

everyday at 10.30 a.m., until further orders;

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[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 absconds, a fresh FIR can be registered under Section 269 B.N.S.

13.03.2025

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CrI.O.P.No.7371 of 2025

Copy to:

- 1.The Station House Officer,
Mangalam Police Station,
Pondicherry.
- 2.The Judicial Magistrate, No.IV, Puducherry.
- 3.The Superintendent of Prison,
Central Prison, Kalapet, Puducherry.
- 4.The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.7371 of 2025

SUNDER MOHAN, J.

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Crl.O.P.No.7371 of 2025



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CrI.O.P.No.7371 of 2025

13.03.2025