



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Sixth day of June Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.11470 of 2022

DINESH @ VEERAPPAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
LAWSPET POLICE STATION,
UNION TERRITORY OF PUDUCHERRY.
CRIME NO.58 OF 2022

[RESPONDENT]

For Petitioner : M/S M.MACHAVATHARAN Advocate

For Respondent : Mr.V.Balamurugane Public Prosecutor for Pondicherry

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 08.04.2022 for the offence under Sections 20(b)(ii)(c) r/w 8(c) of Narcotic Drugs and Psychotropic Substances Act, 1889 r/w Section 77 of the Juvenile Justice Act (Care and Protection of Children Act) 1995, in Crime No.58 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 07.04.2022, based on the secrete information that one male person is selling Ganja, the respondent police went to the place of occurrence and found that the petitioner was found in possession of 420 grams of Ganja in 42 Packets. Hence, the case was registered against the petitioner.

3.The learned counsel appearing for the petitioner would submit that a false case has been foisted against the petitioner. He also submitted that the petitioner was arrested and remanded to judicial custody on 07.04.2022. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that during the course of investigation, on the basis of the confession statement of the petitioner, the respondent seized 20 Kgs of Ganja from other accused persons. As far as the petitioner is concerned, he



arrayed as first accused and he was in possession of 420 grams of Ganja. Hence he vehemently opposed to grant of bail to the petitioner.

5. It is seen that as far as the petitioner is concerned, he was found in possession of 420 grms of Ganja and it is less than the commercial quantity. Considering the above facts and circumstances of the case and also considering the period of incarceration by the petitioner, 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 blood related sureties, each for a like sum to the satisfaction of the learned Special Judge (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 daily twice at 10.30 a.m., and 5.30 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

06/06/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE SPECIAL JUDGE
(III ADDITIONAL SESSIONS JUDGE)
PUDUCHERRY.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUDUCHERRY

3 INSPECTOR OF POLICE,
LAWSPET POLICE STATION,
UNION TERRITORY OF PUDUCHERRY.

4 THE PUBLIC PROSECUTOR
PUDUCHERRY

CC to M/S M.MACHAVATHARAN Advocate on payment of necessary
charges Sr.8490

CRL OP.11470/2022

Date :06/06/2022

RVR 07/06/2022