



Crl.O.P.No.23920 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 20(b)(ii)B and 8(c) of Narcotic Drugs and Psychotropic Substances Act, Section 34 of IPC and Section 77 of Juvenile Justice (Care and Protection of Children) Act in Crime No.91 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused were found to be in possession of 2.045 kgs of Ganja and on seeing the police, the petitioner ran away from the scene of occurrence. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been implicated based on the confession statement of the other accused. He would submit that the petitioner is doing 2nd year B.Sc Viscom and there is no previous case pending against him. He would further submit that the parents of the



Crl.O.P.No.23920 of 2022

petitioner are ready and willing to stand as a security to the petitioner.

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Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner though a student had involved in the business of drug peddling and he along with other accused indulged in selling of drugs to other college students. Hence he opposed for grant of anticipatory bail to the petitioner.

5.Heard the counsel. Taking into consideration the facts of the case and the submissions made by the learned counsel and also taking note of the fact that the parents of the petitioner are ready and willing to stand as a security to the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned III



CrI.O.P.No.23920 of 2022

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Additional Judge cum Special Judge under NDPS Act, Puducherry, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) **two blood sureties, in which, one surety should be a mother and another surety should be a father of the petitioner**, each for a like sum to the satisfaction of the respondent police or the police officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 every Friday, Saturday and Sunday at 5.30 p.m., for a period of four weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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CrI.O.P.No.23920 of 2022

[d] the petitioner shall not abscond 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;

18.10.2022

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A.D.JAGADISH CHANDIRA, J.



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Crl.O.P.No.23920 of 2022

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Crl.O.P.No.23920 of 2022

18.10.2022