



Crl.O.P.No.27774 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2022

CORAM

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

Crl.O.P.No.27774 of 2022

Gopinath @ Vetri

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Mettupalayam Police Station,
Puducherry
Crime No.132 of 2022

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail pending investigation in Crime No.
132 of 2022 on the file of the respondent police.

For Petitioner : Mr.G.Somasekar

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)



Crl.O.P.No.27774 of 2022

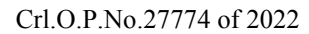
WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.10.2022, for the offences punishable under Sections 20(B)(ii) read with Section 8(c) of NDPS Act, 1985 in Crime No.132 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused were found in possession of 2 kgs of ganja. Hence, the case

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that since the petitioner has no previous case pending against him. He would further submit that the petitioner is a resident of Walajapet and he had gone to Puducherry and there he was arrested. He would also submit that the petitioner is in custody from 14.10.2022 and he is prepared to abide by any stringent conditions that may be imposed by this Court and hence, he prays for grant of bail to the petitioner.



5. The learned Public Prosecutor (Puducherry) appearing for the respondent would submit that, the petitioner along with other accused were found in possession of 2kgs of ganja and would further submit that the petitioner has got no previous cases similar in nature pending against him. Hence, he opposed to grant bail to the petitioner.

7. Taking into consideration the facts and circumstances of the case, the submission made by the learned counsel and considering the period of incarceration and also considering that seized quantity is an intermediate quantity, this Court is inclined to grant bail to the petitioner.

8. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only)** with **two sureties**, each for a like sum to the satisfaction of



CrI.O.P.No.27774 of 2022

the learned Special Judge (III Additional Sessions Judge) at 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 at 10.30.a.m., until further orders.

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

[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;

15.11.2022

Sma

To



Crl.O.P.No.27774 of 2022

WEB COPY

1. The Special judge (III Additional Sessions Judge)
Puducherry.
2. The Inspector of Police,
Mettupalayam Police Station,
Puducherry
3. Central Jail, Kalapet,
Puducherry.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.27774 of 2022

A.D.JAGADISH CHANDIRA.,J.

Sma

Crl.O.P.No.27774 of 2022

15.11.2022