



Crl.O.P.No.31675 of 2022

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**T.V.THAMILSELVI,J.**

The petitioner, who apprehends arrest for the alleged offences punishable under Sections 8(c), 20(b)(ii)(B), 25 of the Narcotic Drugs @ Psychotropic Substances Act, 1985 in Crime No.383 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that when the respondent police on regular patrol, the petitioner along with the other accused were found in possession of 1.150 Kg of Ganga. Hence, the case.

3.The learned counsel 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 the co-accused were enlarged on bail by the Court below. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner along with other accused



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were found in illegal possession of 1.150 Kg of Ganja. He would also submit that there are two previous cases of similar nature pending against the petitioner. He would further submit that the anticipatory bail petitions filed by the petitioner were dismissed by this Court. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the fact that the co-accused have been enlarged on bail, this Court is inclined to grant anticipatory 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 before the learned **J.M.1, Erode** on condition that the petitioner shall 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 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



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dismissed and on further condition that:

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[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 is directed to report before the respondent police on every Sunday at 10.30 a.m., for a period of two months;**

[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]**;



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

**22.12.2022**

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