



Crl.O.P.No.31799 of 2022

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest for the alleged offences punishable under Sections 8(c) and 20(b)(ii)(A) of the Narcotic Drugs @ Psychotropic Substances Act, 1985 and Section 328 of IPC in Crime No.455 of 2022 on the file of the respondent police, seek anticipatory bail.

2.It is the case of the prosecution that the petitioners were found in possession of 100 grams of Ganja. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged. He would further submit that the respondent police have seized 100 grams of Ganja from A1, but the petitioners were falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the



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respondent police submitted that the petitioners were found in illegal possession of 100 grams of Ganja. However, he opposed for grant of anticipatory bail to the petitioners.

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 petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned **Judicial Magistrate No.II, Tirupattur District** on condition that each of the petitioners shall execute a separate 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 dismissed and on further condition that:



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[a] the petitioners 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 petitioners are directed to report before the respondent police on every Wednesday at 10.30a.m., for a period of eight (8) weeks;

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

23.12.2022

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