



Crl.O.P.No.32098 of 2022

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 20(b) (ii) A, 8(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015 r/w Section 34 of IPC in Crime No.108 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused was found in possession of 82 grams of dry ganja and on seeing the police party, the petitioner ran away from the scene of occurrence. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that there is no material to connect the petitioner with the alleged occurrence and would further submit that some of the arrested



accused had been enlarged on bail. On instructions he would further submit that without prejudice to his defence and contentions, the petitioner is ready to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) as non refundable deposit to the credit of the PUDUCHERRY ADVOCATE WELFARE FUND. Hence, he seeks for grant of anticipatory bail to the petitioner.

4. The learned Public Prosecutor (Pondicherry) would vehemently opposed to grant of anticipatory bail by stating that petitioner along with other accused was found in possession of 82 grams of dry ganja.

5. Accordingly, the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** as non refundable deposit to the credit of the **PUDUCHERRY ADVOCATE WELFARE FUND, A/c. No.7199772117; IFSC No.IDIB000B173** and on such deposit 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 **Judicial Magistrate IV, Puducherry**, failing which, the petition for anticipatory bail shall stand dismissed.

[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 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]***; and;



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

23.12.2022

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