



Crl.O.P.No.974 of 2023

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest for the alleged 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 in Crime No.99 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that upon the reliable information, the respondent has gone to the scene of occurrence and they have found that three persons were found in illegal possession of Ganja and they have also distributed the same in packets to school students. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that based on the confession statement given by A5, the petitioner has been falsely implicated in this case. However, on instructions, the learned counsel submitted that the petitioner, on his own volition, is ready and willing to contribute a sum of Rs.10,000/- to the credit of the Registered



CrI.O.P.No.974 of 2023

WEB COPY

Advocates Clerks Association, Puducherry, that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Public Prosecutor (Puducherry) appearing for the respondent police submitted that totally 15 kilograms of Ganja has been seized from the accused persons. He would also submit that there is no previous case similar in nature pending against the petitioner. However, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the fact that there is no previous case similar in nature pending against the petitioner, 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 **III Additional District Judge, Puducherry** 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



CrI.O.P.No.974 of 2023

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 is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of the Registered Advocates Clerks Association, Puducherry, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below;

[b] 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;

[c] the petitioner is directed to appear before the Trial Court regularly;

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

T.V.THAMILSELVI,J.



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CrI.O.P.No.974 of 2023

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[e] the petitioner shall not abscond either during investigation or trial;

[f] 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]**;

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

12.01.2023

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CrI.O.P.No.974 of 2023