



CrI.O.P.No.4624 of 2023

CrI.O.P.No.4624 of 2023

A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b) and 506(i) of IPC and Section 20(b)(ii)(A) of NDPS Act in Crime No.76 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused were found to be in possession of 20 grams of Ganja and on seeing the police, the petitioner ran away from the scene of occurrence. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been implicated based on the confession statement of the other accused. He would submit that he has no previous case pending against the petitioner. He would further submit that the parents of the petitioner are ready and willing to stand as a security to the petitioner. Hence, he prays to grant anticipatory bail to the petitioner.



Crl.O.P.No.4624 of 2023

WEB COPY

4.The learned Government Advocate (Crl.side) appearing for the respondent would submit that the respondent has received secret information that the petitioner and the other accused were selling ganja. The first accused was arrested and the other accused ran away from the scene of occurrence. Hence he opposed for grant of anticipatory bail to the petitioner.

5.Heard the counsel. Taking into consideration the facts of the case and the submissions made by the learned counsel and also taking note of the fact that the parents of the petitioner are ready and willing to stand as a security to the petitioner, this Court is inclined to grant 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, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Cuddalore, on condition that the petitioner



Crl.O.P.No.4624 of 2023

WEB COPY

shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) **two blood sureties, in which, one surety should be a mother and another surety should be a father of the petitioner**, 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:

[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 everyday at 10.30 a.m., untill further orders.

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



WEB COPY



CrI.O.P.No.4624 of 2023

[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;

06.03.2023

jas



WEB COPY



Crl.O.P.No.4624 of 2023

A.D.JAGADISH CHANDIRA, J.

jas

Crl.O.P.No.4624 of 2023

06.03.2023