



Crl.O.P.No.13432 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 8(c), 20(b) and 25 of NDPS Act in Crime No.178 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioner submitted that, petitioner is a college student and he is falsely implicated in this case in Crime No.178 of 2023 for the offences under Sections 8(c), 20(b) and 25 of NDPS Act. There is no previous case against the petitioner. He further submitted that, 1st accused was arrested and released on bail by the order of this Court in Crl.O.P.No.15438 of 2023 dated 11.07.2023. Apprehending arrest at the hands of the respondent, this petition is filed.

3. Learned Government Advocate (Criminal side), opposes this petition, on the ground that, petitioner procured 11 grams of methamphetamine and gave it to 1st accused for sale. Petitioner is added as an accused, on the basis of the confession statement of 1st accused. There is



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no previous case against this petitioner. Thus, he prays for dismissal of this petition.

4. Considering the nature of the allegations against this petitioner that, as per the confession statement of the 1st accused, this petitioner is added as an accused and that the only material available is the confession statement of the 1st accused and that there is no other material available to substantiate the claim that petitioner procured 11 grams of methamphetamine, and that the co-accused was released on bail and that the contraband is of intermediate quantity, this Court is of the view that, custodial interrogation of the petitioner is not necessary and 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 District Munsif cum Judicial Magistrate, Annur, Coimbatore District**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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



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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., 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].



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

14.07.2023

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