



Crl.O.P.No.13198 of 2023

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A.D.JAGADISH CHANDIRA,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 22(b) of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No. 115 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, along with two other accused, was found in illegal possession of 80 Tydol TM 100 tablets . Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case, based on the confession of the arrested accused. He further submitted that there is no recovery from the petitioner and further the alleged substance is not a schedule substance. He also submitted that the petitioner is a college student. He would also submit that without prejudice, the petitioner is prepared to deposit an amount of



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Rs.10,000/- as non- refundable deposit to any welfare scheme of the Government. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner, along with two other accused, was found in illegal possession of 80 Tydol TM 100 tablets. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and learned Government Advocate (Crl. Side) and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made on both sides and also taking note of the fact that the petitioner has come forward to deposit an amount of Rs.10,000/- to any welfare scheme of the Government, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only), directly to the **"The Dean/Medical Officer, Coimbatore Government Medical College and Hospital, Coimbatore District"**, and on such deposit and on receipt of proof of payment, 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.VII, Coimbatore** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten thousand only) with two sureties out of which, one surety shall be the Father or Mother 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.



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[b] the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only), directly to **"The Dean/Medical Officer, Coimbatore Government Medical College and Hospital, Coimbatore District,** to enable the Dean to use the aforesaid amount for the purpose of treating the alcohol influenced patients.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders ;

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

[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



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can be registered under Section 229A IPC.

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