



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2024

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.9807 of 2024

Anandhan

... Petitioner

Vs.

State Rep by.
Station House officer,
Thirubuvanai P.S., Puducherry.
Crime No. 3 of 2024.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail pending investigation in connection
with crime No. 3 of 2024 on the file of the respondent police.

For Petitioner : Mr. S.Irusan
For Respondent : Mr.Mohandoss
Public prosecutor Puducherry.

ORDER



WEB COPY

The petitioner, who was arrested and remanded to judicial custody on **07.01.2024** for the alleged offences punishable under Sections **20 (b)(ii) B r/w 8 (c) of (NDPS) Act 1985 and Section 77 of Juvenile Justice Act 2015 in crime No. 3 of 2024** on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons were found to be illegal possession of 5 kgs of Ganja. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and he is an innocent person. Learned counsel prays to grant bail to the petitioner.

4. On the other side, the learned Government Advocate (Crl. side) submits that accused persons were found to be in illegal possession of 5 kgs of Ganja of which 1 kg of Ganja seized from the petitioner and also he stated that the petitioner is having one previous cases. Further, he stated that the final report has been filed in this case.

5. Considering the period of incarceration undergone by the



petitioner and also the contraband seized from the petitioner in intermediate quantity. Hence, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties (one must be a blood surety)**, each for a like sum to the satisfaction of the **learned Special Judge Under NDPS Act III Additional Sessions Judge, Puducherry.,** and on further conditions that:

[a] 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 on alternative days at 10.30 a.m., for a period of three months. Further, the petitioner shall deposit a sum of Rs.15,000/- to the credit of Registered Advocate Clerk Welfare Association, Puducherry District.

[c] the petitioner shall not abscond either during



investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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 abscond, a fresh FIR can be registered under Section 229A IPC.

25.04.2024

pbl

T.V.THAMILSELVI,J.



WEB COPY



pbl

To

1. The **Special Judge Under NDPS Act III Additional Sessions Judge, Puducherry.**

2. Station House officer,
Thirubuvanai P.S., Puducherry.

3. The Central prison, Puducherry.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.9807 of 2024

25.04.2024