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Crl.O.P.No. 28923 of 2024

T.V.THAMILSELVI, J.

This petition has been filed to enlarge the petitioner on anticipatory bail in the event of his arrest in crime No. 83 of 2024 on the file of the respondent police.

2. The case of the prosecution is that when the respondent police inspecting the vehicle on 27.04.2024 at Pachaiyammam Kovil, they intercepted the bike bearing registration No. TN 70 AR 1546 and on seeing the police, one person ran away from the scene of occurrence, then the respondent police searched the bike and found 4 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 also there is no previous case pending against the petitioner. Hence, he prays to allow this petition.

4. The learned Government Advocate (Crl. side) submits that on seeing the police the petitioner ran away from the scene of occurrence. Hence, he raised objection to grant bail.



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5. Considering the facts of the case, the contraband seized from the petitioner's bike is intermediate quantity and also there is no bad antecedents against the petitioner. Hence, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate, Palacode.** 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 police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall deposit a sum of Rs.15,000/- to the credit of registered Advocate Clerk's Welfare Association, Dharmapuri, and shall report before the respondent police on daily at 10.00 a.m for a period of



three months.

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(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 anticipatory 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]*; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

28.11.2024

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