



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31185 of 2024

Akash
No.04, Mettu Street, Chinnakalapet, Kalapet,
Pondicherry.

Petitioner(s)

Vs

The State Rep By, The Inspector Of Police
Kalapet Police Station, Kalapet, Puducherry.

Respondent(s)

For Petitioner(s) : Kannadhasan.K

For Respondent(s): Mr.M.V.Ramachandra Murthy
Addl.Public Prosecutor(Puducherry)

ORDER

Apprehending arrest in connection with Crime No.91 of 2024 registered for the offences punishable under Sections 20(b)(ii)(B) r/w Section 8(c) of NDPS Act, 1985 r/w Section 3(5) of BNS, the present petition has been filed by the petitioner seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court.



He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution, as put forth by the learned Additional Public Prosecutor (Puducherry) appearing for the respondent police, opposing for grant of bail, is that the petitioner along with other accused were found to be in illegal possession of 1.250 kg of Ganja. On the confession of the arrested person, the petitioner was implicated in this case. He further submitted that there are no previous NDPS cases as against the petitioner .

4. The learned Additional Public Prosecutor (Puducherry) would submit that the petitioner along with other accused were found in possession 1.250 kg of ganja. He would further submit that the petitioner got three previous cases registered for the offences under IPC.

5. Having heard the learned counsel for the petitioner and the learned Additional Public Prosecutor (Puducherry) for the respondent Police and perused the materials available on record, this Court is inclined to **grant**



anticipatory bail to the **petitioner** with certain conditions. 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 of receipt of a copy of this order, before the **learned III Additional Judge-cum-Special Judge (NDPS Act) Puducherry**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with two sureties 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., 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



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A.D.JAGADISH CHANDIRA, J.

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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 269 B.N.S.

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