



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of August Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15428 of 2021

AJITH @ ASHOK KUMAR

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
AMBUR POLICE STATION,
THIRUPATHUR DISTRICT,
CRIME NO.394 OF 2021

[RESPONDENT]

For Petitioner : M/S B.GOPALAKRISHNAN Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence punishable under Section 8(c) and 20(b) (ii) (B) of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.394 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 50gms of Cannabis and the same was seized by the respondent Police. Hence, the complaint was registered.

3.The learned counsel appearing for the petitioner submits that the petitioner is no way connected with the offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for granting anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that there is no previous cases pending against the petitioner.

5. Taking into consideration the facts of the case and the seized quantity is not a commercial quantity and no previous case pending against the petitioner, this court is inclined to grant anticipatory bail to the petitioner



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Ambur 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 report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

(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 petitioners 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]; and;

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

-sd/-

26/08/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE JUDICIAL MAGISTRATE,
AMBUR.

WEB COPY

2 THE CHIEF JUDICIAL MAGISTRATE,
VELLORE DISTRICT (FOR INFORMATION).

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
AMBUR POLICE STATION,
THIRUPATHUR DISTRICT,

+1 CC to M/S B.GOPALAKRISHNAN Advocate on payment of necessary
charges SR.NO.9181

CRL OP.15428/2021

Date :26/08/2021

INBA 13/09/2021