



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

Wednesday, the Eighth day of September Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15877 of 2021

MADHAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
P3 POLICE STATION,
CHENNAI DISTRICT.
(CRIME NO.93/2021)

[RESPONDENT]

For Petitioner : M/S R.S. INDIRA Advocate

For Respondent : MR. A.GOPINATH, Govt. Advocate (CrI. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 8(c) 20(b)(ii)(B) of NDPS Act in Cr.No.93 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused were found illegal possession of 1kg 100gms of Ganja in an auto bearing number TN 12-W-7903. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner did not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Based on the confession given by the A1 arrested, the Law Enforcing Agency registered the case against the petitioner.

4.The learned Government Advocate (CrI.Side) submits that there is no recovery from the petitioner. He further submits that there is one previous case pending against the petitioner in ARMS Act. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.



5. Considering the fact and circumstances of the case and also considering that there is no recovery from 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Learned Principal Judge, NDPS Act, Chennai 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 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]; and;

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

-sd/-

08/09/2021

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.



1 THE PRINCIPAL JUDGE, NDPS ACT,
CHENNAI.

2 THE INSPECTOR OF POLICE,
P3 POLICE STATION,
CHENNAI DISTRICT.

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

CC to M/S R.S. INDIRA Advocate on payment of necessary charges

CRL OP.15877/2021

Date :08/09/2021

INBA 23/09/2021