



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Sixteenth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.21025 of 2021

INDIRA

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
V-4, RAJAMANGALAM POLICE STATION,
CHENNAI.
CRIME NO.754 OF 2021.

For Petitioner : M/S.T.THIRISANGU Advocate

For Respondent : MR.N.S.SUGANTHAN, 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 offences under Section 8 (c) r/w 20 (b) (ii) (B) Narcotic Drugs & Psychotropic Substances Act, 1985, in Crime No.754 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, the petitioner was found an illegal possession 1.250 kilograms of Ganja without any valid licence, for which, the respondent police registered a case against the petitioner.

3. The learned counsel appearing for the petitioner would submit the petitioner did not commit any offence as alleged by the prosecution and the A1 is already released on bail and A2 is the mother of the A1, who is aged about 65 years.



4. The learned Government Advocate(crl.side) would submit that there was six previous case is pending against the petitioner and two cases were disposed. Since, investigation is almost completed.

5. Considering the nature of allegations and the age of the petitioner is about 65 years, this Court 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the XIII Metropolitan Magistrate, Egmore, 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 shall deposit a sum of Rs.5,000/-(Rupees five thousand only) to the Cancer Institute, Adyar, Chennai by way of Demand Draft and the petitioner shall produce the receipt for the same before the said Court while executing the bond;

(b)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c)the petitioner shall report before the respondent police on every Wednesday at 10.30 a.m., for a period of eight weeks and thereafter, as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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;



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

WEB COPY

-sd/-
16/11/2021

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 METROPOLITAN MAGISTRATE,
NO.XIII, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
V-4, RAJAMANGALAM POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE CANCER INSTITUTE,
ADYAR, CHENNAI.

+1 CC to M/S.T.THIRISANGU Advocate on payment of necessary charges SR.NO.12836

CRL OP.21025/2021

Date :16/11/2021

JPA 18/11/2021