



Crl.O.P.No. 30554 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences under Sec.8(c), 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substance Act, 1985 in Crime No.1006 of 2021 on the file of respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 was found in illegal possession of 1 kg. And 150 grams of ganja. Based on the confession of A2, the petitioner was implicated as accused in this case. Hence, the complaint.

3. The learned counsel appearing for petitioner would submit that this is the fifth petition praying for anticipatory bail and he is an innocent person and he has not committed any offence as alleged in the complaint. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner is having seven previous case similar in nature and this is the fifth petition seeking for anticipatory bail



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before this court. If he is granted anticipatory bail, he will abscond and also tamper the witnesses. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the above fact and circumstances of the case, and considering the fact that the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 on which the order copy made ready, before the learned Judicial Magistrate No.I, Udumalpet, on condition that **the petitioner shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) as non-refundable deposit to the credit of Tamilnadu Advocate Clerk Association, Chennai. Current Account No.484026006, IFSC No.IDIB000M157, Indian Bank, High Court Branch** and the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)



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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, 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 daily at 10.30 a.m. for the period of two months.

[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



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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 absconds, a fresh FIR can be registered under Section 229A IPC.

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