



Crl.O.P.No.5888 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c), 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act 1985 in Crime No.192 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused were found in possession of 1.300 gms of ganja. Hence, the complaint.

3. The learned counsel for the petitioner would submit that this is the third anticipatory bail petition and the earlier petitions were dismissed by this Court in Crl.O.P.No.14522 of 2022 vide order dated 23.06.2022 and in Crl.O.P.No.29549 of 2022 vide order dated 01.12.2022. He would further submit that the arrested accused has been released on bail and the co-accused who has been similarly placed namely one J.Dhavasi, has been granted anticipatory bail by this Court in Crl.O.P.No.30532 of 2022 by an order dated 15.12.2022. Hence, he prays



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for grant of anticipatory bail to the petitioner.
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4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that this is the third anticipatory bail petition and the earlier petitions were dismissed by this Court. He would further submit that the petitioner along with other accused were found in possession of 1.300 gms of ganja and got three previous cases against her similar in nature. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Heard both the learned counsels and perused the materials available on record.

6.Taking into consideration the facts and submissions of the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;



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7. 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 on which the order copy made ready, before the learned **Metropolitan Magistrate-V, Egmore** on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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, 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 every wednesday at 10.30 a.m., for a period of eight weeks and thereafter as and when required for interrogation.



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[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]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC;

15.03.2023

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