



WEB COPY



CrI.O.P.No.6512 of 2023

CrI.O.P.No.6512 of 2023

**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) r/w.20(b)(ii)(B) of NDPS Act 1985 and section 77 of Juvenile Justice ( Care and Protection of Children) Act, 2015 in Crime No.19 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that on 19.01.2023, the defacto complainant after getting information about the sale of Ganja chocolates, stopped one Surendra Yadav and seized white colour bag and found him to be in possession of 3.755 kg of Ganja chocolates. Hence the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case based on the confession of co-accused. He would submit co-accused have been granted bail and anticipatory bail by this



Crl.O.P.No.6512 of 2023

WEB COPY

Court. He would further submit that the petitioner is ready to abide any stringent conditions that may be imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would vehemently oppose to grant of anticipatory bail by stating that the accused persons were in illegal possession of Ganja chocolates and that A2 has been arrested and based on confession of A2, the petitioner herein was implicated in this case.

5. At this juncture, the learned counsel for the petitioner submitted that the petitioner, without prejudice his rights, on his own volition, is ready and willing to contribute some amount to any charitable trust as may be directed by this Court and he prays to grant anticipatory bail to the petitioner.

6. Taking note of the facts and circumstances and the voluntary submission made by the learned counsel for the petitioner, this Court is



CrI.O.P.No.6512 of 2023

inclined to grant anticipatory bail to the petitioner with certain conditions.

[a] the petitioner is directed to deposit a sum of Rs.10,000/-(Rupees Ten Thousand only) as non-refundable deposit either through RTGS/NEFT or in cash in favour of **"Kilpauk Medical College and Hospital, Kilpauk, Chennai,"Hospital Maintenance Fund",Canara Bank, Kilpauk Branch, A/c.No.1650101005396, IFSC Code : - CNRB0001650, MICR Code : - 600015050"** within fifteen (15) days from the date of receipt of a copy of this order. Thereafter, the petitioner is directed to be released on bail in the event of his arrest or on his appearance and on production of proof of payment of the above amount.

[b] 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 **Metropolitan Magistrate No.XVII, Saidapet**, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:-



WEB COPY



Crl.O.P.No.6512 of 2023

**A.D.JAGADISH CHANDIRA,J.**

mpa

[c] the petitioner shall report before the respondent police daily at 10.30 a.m.,until further orders.

[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.

**30.03.2023**

mpa

**Crl.O.P.No.6512 of 2023**