



Crl.O.P.No.14355 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 alleged offences punishable under Section 8(C) read with 20(b)(ii)(B) of NDPS Act, in Crime No. 804 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 1.985 Kgs of Ganja. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was granted anticipatory bail in Crl.O.P.No.932 of 2022 on 19.01.2022. He would further submit that the petitioner is a famous Gana Singer and he was having number of programs. Therefore, he was not able to comply the condition imposed by this Court. He would also submit that now he is ready to surrender and execute the sureties. Hence, he prays for grant of anticipatory bail to the petitioner.



Crl.O.P.No.14355 of 2023

4. The learned Government Advocate (Crl. Side) would submit that earlier this Court had granted anticipatory bail to the petitioner in Crl.O.P.No.932 of 2022 dated 19.01.2022. He would further submit that till date, the petitioner has not complied the condition imposed by this Court. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and learned Government Advocate (Crl. Side) and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and also the submissions made on both sides, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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**



Crl.O.P.No.14355 of 2023

XIII Metropolitan Magistrate, Egmore, 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, 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 everyday at 5.00 p.m., for a period of two weeks and thereafter as and when required.

[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



Crl.O.P.No.14355 of 2023

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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.

27.06.2023

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Crl.O.P.No.14355 of 2023

Crl.O.P.No.14355 of 2023

27.06.2023