



Crl.O.P.No.11247 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 NDPS Act in Crime No. 176 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused was found in possession of 4 Kg of ganja. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case based on the confession of the co-accused. He would further submit that the petitioner has no previous case against him under NDPS Act and thereby he would seek anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that the petitioner along with other accused persons were found in possession of 4 Kg of Ganja. He would further submit that one previous case under City Police Act is pending as against him.

5. At this juncture, the learned counsel for the petitioner submitted that the petitioner, without prejudice to his defense and contention, is ready and willing to make a non-refundable deposit of Rs.20,000/- to any welfare scheme run by the Government. Hence, he prays for grant of bail to the petitioner.

6. Heard both sides and perused the materials available on record including the FIR.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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8. Accordingly, the petitioner is directed to make a non refundable deposit of Rs.20,000/- (Rupees Twenty Thousand Only) by way of **RTGS/NEFT to the credit of "Police Boys Club (T-15 Kannagi Nagar Police Boys and Girls Club), Bank:State Bank of India, A/c. No.32033586872 IFSC Code:SBIB0011932, Branch:Okkiyam Thuraippakkam, Chennai-97, Mobile No.8056156311"** without prejudice to his rights and contentions before the trial Court and on such deposit and production of proof, the petitioner is ordered to be released on bail on his executing 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 **learned Judicial Magistrate-I, Tambaram** and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/trial Court 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 day at 10.30 a.m., until further orders.**



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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] 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, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

[f] if the petitioner herein thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

9. Accordingly, the Criminal Original Petition is ordered.

23.06.2023

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