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Crl.O.P.No.16480 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 8(c), 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.486 of 2022 on the file of respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on receipt of secret information, the respondent police along with his team went to the petitioner's warehouse, and on seeing them, when they tried to escape from the scene of occurrence, they caught hold of them. On search, they found the petitioner along with other accused were in possession of 1.400 kgs. of ganja and seized the same. Hence, a complaint was registered against the petitioner.

3. The learned counsel for the petitioner would submit that earlier, this court granted anticipatory bail to the petitioner on 27.04.2023 and



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directed the petitioner to execute a bond for a sum of Rs.10,000/- with two sureties, in which one must be a blood surety, however, the petitioner's relatives have no property worth of Rs.10,000/-. So, he is not able to execute the sureties within the stipulated time fixed by this court. Hence, he has filed the present petition seeking to grant anticipatory bail to the petitioner.

4. Considering the fact that as the petitioner's blood relatives have no property worth of Rs.10,000/- and instead of filing a petition to modify the condition, the petitioner filed the present petition and the fact that in order to avoid multiplicity of proceedings, this court directs the petitioner to furnish a surety belong to native place.

5. 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 Special Court of Narcotic Drugs and Psychotropic Substances Act Cases, Villupuram, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each, **in which one surety belong to native place**, for a like sum to the satisfaction of the respondent police or the police officer who intends to



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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 eight weeks.

[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.

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