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Crl.O.P.No.23025 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner herein seeks anticipatory bail in Crime No.207 of 2023 registered by the respondent Police for the offences under Sections 8(c) and 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The learned counsel for the petitioner stated that the petitioner is an innocent person and he has been falsely implicated in Crime No.207 of 2023 registered by the respondent Police for the offences under Sections 8(c) and 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985. He further stated that the petitioner is studying degree in A.M.Jain College, Meenambakkam. Thus, he seeks anticipatory bail to the petitioner.

3. The learned Government Advocate (Criminal side) stated that the 1st and 2nd accused were together found in possession of 1.5 kgs of ganja. The 1st accused had been arrested and granted bail. The 2nd accused is still absconding. Thus, he prays for dismissal of this petition.



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4. Taking all the factors into consideration, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

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 **Special Court for EC & NDPS, Chennai** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties each (one surety must be either mother or father of the petitioner)** 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 10.00.a.m., for a period of two weeks and thereafter, as and when required for interrogation.



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[c] the Special Court for EC & NDPS, Chennai is directed to inform the petitioner's college authority that the petitioner is an accused in Crime No.207 of 2023 registered for the offences under Sections 8(c) and 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985. It must be registered in the records of the college and it must be reflected in the certificates issued to the petitioner by the college.

[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]**;

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

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