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Crl.O.P.No.23764 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.480 of 2023 registered by the respondent Police for the offences under Sections 8(c) r/w 20(b)(ii)(A) of NDPS Act with respect to an occurrence which had taken place on 14.09.2023.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side).

3.It is stated that the petitioner is the grand mother of the 1st accused, who was found in possession of 4.400 kgs of ganja. The 1st accused who is the grand son has been arrested.

4.Taking into consideration of all the factors, I am inclined to grant anticipatory bail to the petitioner with certain conditions. However, it is made clear that this order should not ennure for granting bail to the 1st accused/grand son.



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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 Judicial Magistrate, No.2, Salem** , 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 10.00.a.m., until further orders.

[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



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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;

09.11.2023

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