



Crl.O.P.No.589 of 2024

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C.V.KARTHIKEYAN, J.

The Petitioner/A3, who apprehends arrest at the hands of the Respondent Police for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B) and 29(i) of NDPS Act, 1985 in Crime No.791 of 2023 on the file of the Respondent Police with respect to the occurrence took place on 29.10.2023, seeks anticipatory bail.

2. The 1st accused is the father-in-law of the petitioner herein. He had been arrested and remanded on 30.10.2023. The 2nd accused is the son of the 1st accused. He had been detained under Tamil Nadu Act 14 of 1982. It is stated that all the accused were found in possession of 2 kgs of kanja. The learned counsel for the petitioner that the 2nd accused has been arrested in a previous case under Section 302 of IPC and thereafter, this petitioner has been falsely implicated in this case. It is requested to grant anticipatory bail to the petitioner considering the family of the petitioner.

3. However taking all the factors into consideration and considering the benefit of the children who are born to the 2nd accused and this petitioner,



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this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions that **the Petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Dean, Government Stanley Hospital, Chennai for treatment of needy patients.** 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 Judicial Magistrate, Thiruvottiur**, 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 deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Dean, Government Stanley Hospital, Chennai for treatment of needy**



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patients.

[c] the petitioner shall report before the Respondent Police daily at 10.30 a.m., until further orders.

[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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