



Crl.O.P.No.772of 2024

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C.V.KARTHIKEYAN,J.

The petitioner seeks anticipatory bail in Crime No.365 of 2023 registered by the respondent police for the offences punishable under Sections 8C and 20(b)(ii)(B) of NDPS Act.

2. It is stated that A1, was found in possession of 1.200 kgs of ganja and had been remanded to judicial custody on 03.02.2023. Subsequently, the learned Special Judge for EC and NDPS Act Court, Chennai had granted bail to A1 vide order dated 29.12.1023 in Crl.MP.No.9748 of 2023. There has been no recovery from the petitioner herein.

3. The learned counsel for the petitioner stated that the petitioner is an innocent person and he had not committed any offence as alleged by the prosecution. He further stated that the petitioner is ready to abide by any condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. A counter has been filed stating that it is this petitioner who is related to A1 who purchases the ganja for sale in retail. But, there is no previous case against the petitioner herein.

5. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

6. Accordingly, **the petitioner shall make a non-refundable deposit of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of the Dean, Government Stanley Hospital, Chennai & Medical College, Chennai, for treatment of needy patients** and on such deposit and the production of proof, 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 Court-II, Alandur** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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



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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 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.



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

Vv

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