



Crl.O.P.No.2549 of 2024

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**C.V.KARTHIKEYAN, J.**

The petitioner/accused who apprehends arrest at the hands of the respondent police for the offence punishable under Section 8(c) and 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.594 of 2023, seeks anticipatory bail.

2. The learned Government Advocate (Crl. Side) stated that the petitioner was found in possession of 1.100 kgs of banned tobacco products.

3. The previous application seeking anticipatory bail was dismissed on 04.01.2024 in Crl.O.P.No. 27733 of 2023. On that date, it was observed that the first accused was till in custody and now subsequently, the first accused had been granted bail in Crl.O.P.No. 28659 of 2023 by an order dated 05.01.2024.

4. Taking all the factors into consideration, this Court is 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 Judicial



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Magistrate, Arcot, 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 daily at 10.30 a.m., until further orders.

[c] the petitioner shall deposit a sum of Rs.15,000/- to the credit of Cr.No. 594 of 2023 and on such deposit, the learned Judicial Magistrate, Arcot, may hand it over to the responsible officer of Government Hospital at Ranipet for treatment of needy patients.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[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.

**26.02.2024**

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