



Crl.OP.Nos.1636 and 2020 of 2024

Crl.O.P.Nos.1636 and 2020 of 2024

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

The petitioner/A2 has filed Crl.OP.No.1636 of 2024 and the petitioner/A3 has filed Crl.OP.No.2020 of 2024, both in Cr.No.594 of 2023 registered by the respondent police for the offences punishable under Sections 8(c), 20(b)(ii)(B) of NDPS Act seek anticipatory bail.

2. It is the case of the prosecution that A1 was transporting ganja and from her, 1300 kgs of ganja was seized and she was remanded to judicial custody. Later, she had been detained under Tamil Nadu Act 14 of 1982 . Her husband is A2 and the seller of the ganja to both of them is A3. It is stated that there are four previous cases against A3. So far as A2 is concerned there are no previous cases against him.

3. Taking all those factors into consideration, this Court is not inclined to grant anticipatory bail to the petitioner in Crl.OP.No.2020 of 2024 and this Court is inclined to grant anticipatory bail to the petitioner in Crl.OP.No.1636 of 2024 with subject to the following conditions:



Crl.OP.Nos.1636 and 2020 of 2024

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4. Accordingly, the petitioner in Crl.OP.No.1636 of 2024 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 Metropolitan Magistrate-V, Egmore, Chennai* 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 petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner in Crl.OP.No.1636 of 2024 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 in Crl.OP.No.1636 of 2024 shall report before the respondent police everyday at 10.30 a.m., until further orders.



Crl.OP.Nos.1636 and 2020 of 2024

[c] the petitioner in Crl.OP.No.1636 of 2024 shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner in Crl.OP.No.1636 of 2024 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 petitioner in Crl.OP.No.1636 of 2024 in accordance with law as if the conditions have been imposed and the petitioner in Crl.OP.No.1636 of 2024 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.

5. With the above directions, this Criminal Original Petition in respect of the petitioner/A2 in Crl.OP.No.1636 of 2024 stands ordered. The Criminal Original Petition in respect of petitioner/A3 in Crl.OP.No.2020 of 2024 stands dismissed.

Vv

**19.02.2024**

3/4



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Crl.OP.Nos.1636 and 2020 of 2024

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Vv

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