



Crl.O.P.No.2383 of 2024

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C.V.KARTHIKEYAN,J.

The Petitioner/A2 seeks anticipatory bail in Crime No.826 of 2023 registered by the Respondent Police for the offences under Section 8(c) read with 20(b)(ii)(B) of NDPS Act.

2. It is the case of the Respondent that the Respondent conducted search in Omni bus in Tiruppur and they had seized 6 Kgs of Ganja from the Accused A1. It had been stated that the Accused A1 had been detained under Tamil Nadu Act 14 of 1982. The Accused A1 had confessed that this Petitioner is the supplier of Ganja products from Andhra Pradesh.

3. The learned counsel for the Petitioner submitted that the name of the Petitioner does not found place in the F.I.R.

4. The earlier application seeking anticipatory bail was dismissed by this Court in Crl. O.P. No.499 of 2024 on 18.01.2024. It is stated that



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the detention order against A1 under Tamil Nadu Act 14 of 1982 had been revoked and A1 had also been subsequently granted bail.

6. Taking that factor into consideration and the Ganja seized is intermittent quantity, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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, Avinashi, 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



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identity.

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[b] the petitioner shall report before the respondent police daily at 10.30 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 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.

04.04.2024

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