



CrI.O.P.No.8904 of 2024

C.V.KARTHIKEYAN, J.

The petitioner/A2 in Crime No.6 of 2024, registered for the offences under Sections 8(c) r/w 22(a) of NDPS Act and Sections 294(b), 353 and 506(ii) of IPC r/w 25(1)(A) with 7 of Arms Act, 1959, seeks anticipatory bail.

2. There are totally two accused. A1 had been arrested and remanded to judicial custody on 10.01.2024.

3. It is the case of the prosecution that during regular vehicle check up they got A1 and it is also contended that this petitioner was standing next to A1 and when the respondent tried to catch this petitioner, he pushed the respondent down and managed to escape by showing knife. From A1, they seized 20 grams of ganja, one strip of Nitrovit-10 tablets and also four different types of knives.

4. The learned counsel for the petitioner stated that the entire recovery is only from the 1st accused and not from this petitioner. It is stated that A1



had been granted bail on 24.01.2024 by the learned Principal Sessions Judge,
Chennai.

5.A counter affidavit has been filed on behalf of the respondent stating that they had received information about illegal transport of narcotic drugs and went near Wall tax road, 2nd Gate. At that point of time, A1 and A2 were standing and when the respondent tried to arrest them, A1 was taken into custody but A2 had escaped. It is also stated that the contraband had been seized.

6.Earlier petition seeking anticipatory bail was dismissed on 21.03.2024 in Crl.O.P.No.1208 of 2024.

7.A counter affidavit has been filed by the respondent wherein, it had been stated that during the course of investigation the respondent had sent the samples of contraband to the Forensic Science Laboratory for chemical analysis. It is also seen that there has been substantial progress in the investigation.



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8. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

9. 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 Metropolitan Magistrate – VIII, George Town, Chennai, 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 everyday 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.



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C.V.KARTHIKEYAN.J.,

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[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.

18.04.2024

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