



Crl.O.P.No.10651 of 2024

Crl.O.P.No.10651 of 2024

RMT.TEEKAA RAMAN, J.

The petitioner who is arrayed as A2 apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 8(c), 20(b) (ii) (B), 21 (a) of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered in Crime No.56 of 2023, seeks anticipatory bail.

2.The FIR is registered at the instance of the Sub-Inspector of Police attached to respondent police station. The case of the prosecution is that while the respondent police were conducting vehicle inspection at around 9.30 p.m., Two persons were coming in a two wheeler from Puliyanthope towards Perimet. On seeing the police, the person who was seated in the pillion seat got off from the two wheeler and ran away and the rider of the motor cycle/Muthukumaram/A1. was caught. On search, a polythene bag said to be hanging on the handle of the vehicle was found containing ganja of about 1kg. and three small polythene covers containing methamphetamine, accompanying the ganja were seized.



CrI.O.P.No.10651 of 2024

WEB COPY

3. The learned Counsel for the petitioner would submit that the petitioner is an innocent person and that except for that he is a pillion rider in the said two wheeler, he has nothing to do with the offence alleged in the crime number.

4. The learned Government Advocate (Criminal Side), based upon the instruction would contend that the petitioner has actively involved in the offence and the contraband seized is 1.100 gms of ganja and three small covers containing methamphetamine tablet were seized; that the matter is under investigation and that the confession statement of A1 who was red-handed discloses the involvement of the petitioner in the offence.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (CrI.Side) and perused the records.



Crl.O.P.No.10651 of 2024

WEB COPY

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side that A1 is already granted bail by the Principal Special Court under EC & NDPS Act, Chennai in Crl.M.P.No.2207 of 2023 in Crime No.56 of 2023, dated 10.04.2024.

7. Considering the nature and gravity of the offence and the stage of investigation, I am inclined to grant anticipatory bail to the petitioner.

8. 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 II Metropolitan Magistrate, Egmore Unit, Chennai**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties and one among the sureties must be a blood surety for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the



CrI.O.P.No.10651 of 2024

WEB COPY

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, on every day 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]**.



Crl.O.P.No.10651 of 2024

[f] If the accused thereafter abscond, a fresh FIR

can be registered under Section 229A IPC.

30.04.2024

nvi



WEB COPY



Crl.O.P.No.10651 of 2024

RMT.TEEKAA RAMAN, J.

nvi

Crl.O.P.No.10651 of 2024

30.04.2024