



Crl.O.P.No.13022 of 2024

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**T.V.THAMILSELVI, J.**

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The petitioner, who apprehends arrest for the alleged offence punishable under Sections 8(c), 20(b)(ii)(B), 25, 29(1) of NDPS Act in Crime No.361 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that on 22.05.2024 Sub Inspector of Police H-1, Washermenpet Police Station was in duty at Police Station she received information from her informer that two persons at Model Line Housing Board Ambedkar Statue selling Ganja in car. The police seized 1kg 200 grams Ganja. Hence the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. However, on instructions, the learned counsel further submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and he prays to grant anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.Side) appearing for the respondent submit that petitioner involved in selling of 1kg 200 grams Ganja in car. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance before the **learned XV Metropolitan Magistrate Court at George Town** 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 is directed to report before the respondent police on every Saturday at 10.30am., for a period of six weeks and thereafter, as and when required for interrogation;**

[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.

**05.06.2024**

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