



**Crl.O.P.No.13648 of 2024**

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

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The petitioner, who apprehends arrest for the alleged offences punishable under Sections 8(c), 20(b)(ii)(B), 29(1) of Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No.375 of 2024 on the file of the respondent/police, seek anticipatory bail.

2.It is the case of the prosecution that on 01.06.2024 at 07.15 a.m. the secret informant informed that the accused are separating the Ganja in a black polythene bag and the respondent police tried to nab them. One of them ran away from there and two other accused were arrested. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that he is a law abiding citizen. He will not evade from the process of law. The petitioner is ready to obey any conditions that may be imposed on him. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) vehemently opposed for grant of anticipatory bail to the petitioner. On the confession of the co-



accused the petitioner was roped in this case. The respondent police seized 1 kilogram and 150 grams of ganja from A1 and A2. No recovery was made from this petitioner. No previous case was registered against this petitioner.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the petitioner is directed 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 District Munsif cum Judicial Magistrate, Pallavaram, 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 the petitioner, or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of Madras High Court Advocate Clerks Welfare Association, Chennai, A/c.No.484077244, Bank : Indian Bank, Branch : High Court, IFSC Code : IDIB000M157, *within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below;*

(c) the petitioner shall appear before the respondent police as and when required;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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 Judge himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



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(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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