



Crl.O.P.No.13865 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) of the NDPS Act, 1985 in Crime No.607 of 2021 on the file of the respondent/police, seeks anticipatory bail.

2.It is the case of the prosecution that on 02.10.2021 at around 11.30 hrs. the complainant received an information from his source that two known persons are trying to sell ganja near in Manivakkam in a house. On the information after getting orders from the Inspector of Police he along with one Head Constable 1563 and one Gr.-1 PC 1332 were searched the above place with all required equipment, when they were on surveillance, they saw A1 & A2. They were caught hold by the police person. At that time A3, petitioner & A6 run away from that place and on enquiry they came to know name and address of all the accused persons. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that she is a law abiding citizen and have not committed any offence as alleged by the respondent. She is ready and willing to abide by any conditions imposed by this



Court. The petitioner undertakes that she will co-operate with the investigation.

Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

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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 2.250 Kg of Ganja. No recovery was made from 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 Judicial Magistrate-II, Chengalpattu, 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:

(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 Registered Advocate Clerks Association, Tiruvannamalai, *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 on every Tuesday at 10.30 a.m.;

(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



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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.

14.06.2024

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