



Crl.O.P.No.15319 of 2024

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WEB C **T.V.THAMILSELVI,J.**

The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 8(c) r/w 20(b)(ii)(B) of NDPS Act of Prevention of Corruption Act in Crime No.428 of 2024, seeks anticipatory bail.

2. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case, as if, he conspired with A1 in selling the contraband of ganja. Petitioner is ranked as A2. He is the brother of A1. However, this petitioner is living separately from A1. Petitioner has no previous case pending against him. He is ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that, the respondent police found 2 kgs of ganja from A1's vehicle and on searching the house they recovered 10 kgs of ganja and an amount of Rs.17,29,260/-, weighing machine from A1's house. There are totally 6 accused in this case. From the investigation, it is revealed that, A1 gave



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amount by cash to A6 and A6 purchased contraband for the said amount from A5, who is from Theni District. According to the prosecution, this petitioner colluded with A1 in selling ganja. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

4. Taking into consideration the facts of the case, and the fact that petitioner has no previous case pending against him and there is no recovery from this petitioner, this Court is inclined to grant anticipatory bail with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail, in the event of arrest or on her appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned NDPS Court, Chennai***, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, (out of which, one surety must be blood surety)** 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 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



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Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police alternative days at 10.30 a.m, for a period of three months;

[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 has been imposed and the petitioner is 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]*; and;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

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