



Crl.O.P.No. 19870 of 2024

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P. DHANABAL, J.

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The petitioner, who apprehends arrest for the alleged offences punishable under Sections 8(c), 20(b) (ii) (B) & 25 of the Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No. 253 of 2024 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that on 24.07.2024, at about 1.10 p.m., the respondent Police, who were on regular rounds, intercepted a Honda Dio Red and a Black Bike and questioned the person driving on of the bikes. The said person identified himself as Ezhilarasan S/o. Hari Krishnan and thereafter, the respondent Police searched him and the bike and seized 1.750 kgs of Ganja from him. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he was no way connected with the alleged offence. He further submitted that the petitioner has not been named in the First Information Report. Based on the confession statement of the said Ezhilarasan, he has been falsely implicated in this case. Therefore, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that one Ezhilarasan was found in possession of 1.750 Kgs of Ganja. He further submitted that the property has been recovered from the said person. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above submissions made by the learned Counsel on either side that the quantity involved in this case is not a commercial quantity, no previous case is pending against the petitioner and considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **Metropolitan Magistrate No.IX, Saidapet, Chennai** on condition that the petitioner shall execute a separate 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 and on further condition that:

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

[b] the petitioner shall report before the jurisdictional NDPS Court on every Monday at 5.00 p.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 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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