



WEB COPY



Crl.O.P.No.26158 of 2024

Crl.O.P.No.26158 of 2024

P.DHANABAL, J.

The petitioner apprehends arrest for the alleged offences under Section 8(c), 20(b) (ii) (B), 25 and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.186 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant has seized 1 Kg 100 grams of marijuana, valued at Rs.64,000/- from one Manimaran and Giridharan. Upon inspection, it revealed that they had purchased the same from the petitioner. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. The petitioner 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



CrI.O.P.No.26158 of 2024

anticipatory bail to the petitioner.

WEB COPY

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that petitioner has sold 1 KG 100 grams of marijuana to one Manimaran and Giridharan and based on their confession, the petitioner was arrested. He would further submit that there is no previous case as against the petitioner and further, considering the gravity of offence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the representations made by both sides and considering the nature of offences charged against the petitioner and the quantity involved in this case is not a commercial quantity and also considering the fact that the petitioner was arrayed as accused based on the confession made by the co-accused, who were released on bail and there is no previous case is pending against the petitioner, 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



CrI.O.P.No.26158 of 2024

the event of arrest or on his/her appearance, within a period of fifteen (15)

days from the date of receipt of a copy of this order before the *learned*

XXIII Metropolitan Magistrate Court, Saidapet, 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 or to the satisfaction of the learned Magistrate concerned and on

further condition that:

[a] the petitioner shall report **before the concerned NDPS Court at Chennai on all working days, until further orders, without fail.**

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts of the Court or to any police officer.

[c] the petitioner shall not leave India without the previous permission of the Court.

[d] the petitioner shall not abscond either during investigation or trial.



CrI.O.P.No.26158 of 2024

WEB COPY

[e] the petitioner shall make himself/herself available for interrogation by a police officer as and when required.

[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 Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***.

[g] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

25.10.2024

vm



WEB COPY



Crl.O.P.No.26158 of 2024

P.DHANABAL, J.

vm

Crl.O.P.No.26158 of 2024



WEB COPY



CrI.O.P.No.26158 of 2024

25.10.2024