



Crl.O.P.No.25917 of 2024

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WEB C **P.DHANABAL, J.**

The petitioner, who apprehends arrest at the hands of the respondent police, for the alleged offences under Sections 8[c] read with 20[b] [ii] [B] of NDPS Act in Crime No.483 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is A2 in this case. The further case of the petitioner is that the petitioner along with other accused was in illegal possession of 1.100 kgs of ganja. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the contraband has been seized only from the co-accused. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner along with other accused have



been in illegal possession of ganja and the case in preliminary stage of investigation and the petitioner is involved in three previous for the offence under Indian Penal Code. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the submissions of both sides and also of the fact that the seized contraband is not a commercial quantity and the petitioner is not involved in any previous case of similar nature, I am 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 **learned X Metropolitan Magistrate, Egmore, 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:



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[a] the petitioner shall report before the Principal Special Court under EC and NDPS Act, Chennai daily at 10.30 a.m. until further Orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial;

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

[d] 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 v. State of Kerala [(2005) AIR SCW 5560].

[e] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of the B.N.S

25.10.2024

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