



Crl.O.P.No.27367 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 8(c) , 20(b)(ii)(c), 25 and 29(1) of NDPS Act, in Crime No.216 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. This is the second anticipatory bail before this Court. The case of the prosecution is that A1 to A3 were found in possession of 20 kgs of Ganja. Based on the confession of A1 to A3, the petitioner was implicated in this case. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the co-accused had already been released on bail by this Court. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that based on the confession of co-accused, the petitioner was implicated in this case and there is no previous case pending against the petitioner. He further submitted that the petitioner is the purchaser of Ganja. He further submitted that one of the accused in



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Andhra Pradesh and the petitioner was possessed 16 kgs of Ganja. He further submitted that the investigation is almost completed. However, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the investigation is almost completed and the quantity of the contraband is a intermediate quantity, 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 days from the date on which the order copy made ready, before **the learned Judicial Magistrate Court No.1, Coimbatore**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties **one must be a blood surety**, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the Registered Advocate Clerks Association, Coimbatore, within a period of two weeks from the date of receipt



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of a copy of this order, without prejudice to his defence before the trial Court and submit the proof of payment of the said amount before the aforesaid learned Judicial Magistrate, who after perusing the challan/receipt/acknowledgement, shall accept the sureties furnished by the petitioner;.

[b] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[c] the petitioner is directed to report before the respondent police daily at 10.30 a.m., for a period of three months and thereafter, as and when required for interrogation.

[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 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 accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

07.11.2024

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