



Crl.O.P.No.27468 of 2024

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P.DHANABAL,J.

The petitioner/A3 who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 8(C), 20(b)(ii)(B) , 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.583 of 2024, on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 1.600 Kgs., of ganja. Hence, the complaint.

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. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed to grant anticipatory bail to the petitioner stating that the petitioner was found in illegal possession of 1.600 Kgs., of ganja and the co-accused absconded and the petitioner has 4 previous cases.

5. Heard both sides and perused the records.

6. Considering the rival submissions on either side, nature of offences and also the fact that the alleged contraband recovered from the petitioner is not a commercial quantity, though the petitioner has 4 previous cases, all the



cases are not similar kind of offences and in all cases, bail was granted to the petitioner. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **learned Judicial Magistrate, Ambattur**, 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 shall report before the concerned NDPS Court on all working days 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



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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.

20.11.2024

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