



WEB COPY

Crl.O.P.No.27607 of 2024



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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 8(c), 20(b)(ii)(B), 25 and 29(1) of NDPS Act, in Crime No.333 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with the other accused were found to be in illegal possession of 2.400 kgs of ganja. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that no recovery was made from the petitioner. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.



4.Per contra, learned Government Advocate (Crl. Side), while opposing the grant of anticipatory bail, would submit that the petitioner along with the other accused were found to be in illegal possession of 2.400 kgs of ganja. He would further submit that based on the instructions of A1, the petitioner used to sell the contraband to the general public. He would further submit that no previous case is pending against the petitioner.

5.Heard the learned counsel on either side and perused the materials available on record.

6.Considering the facts and circumstances of the case, submissions made by the learned counsel on either side and all other factors, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;

[a] Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate Court, Alandur, Chennai**, on condition that the petitioner



shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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:

[b] the petitioner shall report before the respondent police daily at 6:30 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 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]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

20.11.2024

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