



CrI.O.P.No.29241 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.647 of 2024 registered for the offences punishable under Sections 20(b)(ii)(B) and 29(1) of Narcotic and Substances Act, 1985, the present petition has been filed by the petitioners seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioners along with A1 were found to be in illegal possession of 1,200 grams of Ganja. On the confession of A1, the petitioners were implicated in this case. He further submitted that there are two previous NDPS cases as against the first petitioner and one previous NDPS case



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against the third petitioner and that there are no previous NDPS cases as
against the second petitioner

4. Having heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to **grant anticipatory bail** to the **second petitioner** alone with certain conditions. Insofar as **first and third petitioners** are concerned, this petition stands **dismissed**. Accordingly, the second 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 of receipt of a copy of this order, before the **learned XVI Metropolitan Magistrate, George Town, Chennai**, on condition that the second 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the second 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.

[b] the second petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

[c] the second petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the second 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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

27.11.2024

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