



Crl.O.P.No.30188 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 offences punishable under Sections 8(c) and 20(b)(ii)(A) of Narcotic Drugs & Psychotropic Substance Act, 1985 in Crime No.189 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, based on a secret information, the respondent police went to the spot and found that two persons were in possession of 151 grams of OG Ganja and upon enquiry, it is found that the petitioner herein had supplied the said Ganja from Thailand. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that petitioner is innocent and has not committed any offence and falsely implicated in this case, based on the confession of the arrested accused. He would further submit that no contraband substances were recovered from the petitioner and further the petitioner is also ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear



and co-operate for the investigation, therefore, he prayed for the grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting of anticipatory bail to the petitioner, stating that the petitioner had involved in supplying of OG ganja from Thailand to the arrested accused. He also submitted that the quantity of ganja seized from the arrested accused is about 151 grams and worth about Rs.3,00,000/-. He would further submit that the petitioner has no previous case.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and considering the fact that the petitioner has no previous case, 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



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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 Metropolitan Magistrate Court -2, Egmore** 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] 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.

[b] the petitioner shall report before the respondent police everyday at 10:30 a.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.



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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 B.N.S.

04.12.2024

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