



Crl.O.P.No.28753 of 2023

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C.V.KARTHIKEYAN,J.

The petitioner/A2 seeks anticipatory bail in Crime No.212 of 2023 registered by the respondent police for the offences punishable under Section 8(c) r/w 20(b)(ii)B and 25 of NDPS Act.

2. The learned counsel for the petitioner states that the petitioner is an innocent person and she has been falsely implicated in this case. Thus, he prays for grant of anticipatory bail for the petitioner.

3. It is stated by the learned Government Advocate (Crl.Side) appearing on behalf of the respondent that A1 was found in possession of 1.100 kgs of ganja. A1 was arrested and remanded to judicial custody on 06.10.2023. So far as this petitioner is concerned, she managed to escape and it is stated that there are seven previous cases, out of which, six cases relates to NDPS offences. Thus, he prayed for dismissal of this petition.



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4. It is stated that A1 had been granted bail, but still in custody, since he is involved in another case. Objections have been raised on behalf of the respondent that the petitioner has been absconding and evading arrest.

5. However, the learned counsel for the petitioner stated that the petitioner is very much in the place, as in the address, as given in the petition.

6. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

7. Accordingly, **the petitioner shall make a non-refundable deposit of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Dean, Stanley Government Hospital & Medical College, Chennai, for treatment of needy patients** and on such deposit and the production of proof, the petitioner is ordered to be released on bail in the event of



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arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the *learned Metropolitan Magistrate Court -II, Egmore, 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:

[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.

[e] On breach of any of the aforesaid conditions, the learned



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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 229A IPC.

Vv

18.01.2024

C.V.KARTHIKEYAN,J.



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