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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **29-01-2025**

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1680 of 2025

Vinesh Babu
S/o. Babu No.12 Thiru Nagar, Vadapalani, Chennai-600 026.

Petitioner(s)

Vs

State By, The Inspector Of Police,
K-11, CMBT Police Station Chennai. Crime No.924 of 2024.

Respondent(s)

For Petitioner(s):

M Jaikumar
A. Ramesh
R.K.Sugidharan

For Respondent(s):

S.Santhosh
Government Advocate (criminal Side),madras High Court.

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 8(c), 22(b), 29(1) of NDPS Act in Crime No.924 of 2024, on the file of the respondent police, seek anticipatory bail.

2. Learned counsel appearing for the petitioner would submit that petitioner is innocent and have not committed any offence, as alleged by the prosecution and has been falsely implicated in this case, only based on the confession of the arrested accused. He would further submit that the petitioner is ready to abide by any condition, that may be imposed by this Court and also to appear and co-operate for the investigation. He

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further submitted that without prejudice to their contention, the petitioner d to deposit an amount of Rs.10,000/- towards any charitable organization or association. Therefore, he prays for grant of anticipatory bail to the petitioner.

3. The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioner, is that on 13.12.2024, based on secret information, the respondent Police went to inspection near Koyambedu and they found the petitioner along with other co-accused were in possession of 2 grams of Methamphetamine. He also submitted that the petitioner has no previous case.

4. 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.

5. Taking into consideration the facts and circumstances of the case and the quantity of contraband involved in this case, this Court is inclined to grant anticipatory bail to the petitioner. However, taking into consideration the voluntary submission made by the petitioner offering to deposit a considerable amount to any charitable organization or association, this Court is of the opinion that as one of the conditions for grant of anticipatory

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bail, the petitioner may be directed to deposit a sum of Rs.10,000/- (Rupees T and only) each to the credit of District Legal Services Authority, Chennai District, without prejudice to their rights and contentions before the trial Court.

6. It is made clear that merely because the petitioner is depositing the amount, it would not amount to the petitioner admitting their guilt in the criminal case and such amount is being paid without prejudice to the right of the petitioner.

7. Accordingly, the petitioner shall make a non refundable deposit of **Rs.10,000/- (Rupees Ten Thousands only)** by way of Demand Draft/RTGS/NEFT to the credit of the **District Legal Services Authority, Chennai District,** and on such deposit and on receipt of proof of payment, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **V Metropolitan Magistrate Court, Egmore** on condition that the 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 conditions that:

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

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[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 as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];**

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

29-01-2025

msv

To
The Inspector Of Police,
K-11, CMBT Police Station
Chennai.

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