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Crl.O.P.No.32077 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 32077 of 2024

C K Santhosh
S/o. Chandrakumar, No. 1100/4B, GR Nagar 6t
Cross, Gandhi Gramam North, Senapiratti,
Pasupathipalayam, Karur District - 639004

Petitioner(s)

Vs

The State Rep.By
The Inspector of Police, R 9, Valasaravakkam Police
Station, Chennai. (Crime No. 758 of 2024)

Respondent(s)

For Petitioner(s):

Veera Narayanan
R.Manikandan
S. Yunas Khan

For Respondent(s):

Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c) r/w. 20(b)(ii)(B), 25 and 29(1) of NDPS Act in Crime No.758 of 2024, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that, on 09.10.2024, based on secret information, the respondent formed a team and went to the place of occurrence and found that the co-accused (A1) was in possession of 8 kilograms of Ganja and based on confession, the petitioner herein has been arrayed as an accused. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that petitioner is innocent and he has been falsely implicated in this case, based on the confession of the arrested accused. He also submitted that the co-accused was arrested and released on bail by the Principal Special Court under EC & NDPS Act vide an order dated 11.12.2024 in Crl.M.P.No.14027 of 2024. He would further submit that there is no recovery of any contraband substance from the petitioner herein and the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to 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 along with arrested accused had involved in selling of Ganja. He would further submit that the petitioner has no previous case and the investigation has been completed and charge sheet has been filed before the learned Judicial Magistrate - I, Poonamallee, which is yet to be numbered.

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 counsels on either side and the fact that the main accused was arrested and enlarged on bail and the investigation has been completed, 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 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 Principal Special Court under EC & NDPS Act cases at Chennai** 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 learned Judicial Magistrate - I, Poonamallee on all working days 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 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



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[(2005)AIR SCW 5560].

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

08.01.2025

stn

To

1. The State Rep.By
The Inspector of Police,
R 9, Valasaravakkam Police Station,
Chennai.
(Crime No. 758 of 2024)



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A.D. JAGADISH CHANDIRA, J.

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