# Legal Case Summary: Frank Vitus vs Narcotics Control Bureau & Others (2024)

Case Title: Frank Vitus vs Narcotics Control Bureau & Others

Citation: 2024 INSC 479

Court: Supreme Court of India

Date of Judgment: 8 July 2024

Bench: Abhay S. Oka, Ujjal Bhuyan

## Facts of the Case:

- Frank Vitus, a Nigerian national, was prosecuted under Sections 8, 22, 23, and 29 of the NDPS Act, 1985.  
- He was arrested on 21 May 2014 and granted bail in May 2022, subject to certain conditions.  
- The bail conditions included providing a certificate of assurance from the Nigerian High Commission and dropping a PIN on Google Maps to share his location with the investigation officer.  
- Vitus challenged these bail conditions as violative of his fundamental rights under Article 21 of the Constitution of India.

## Procedural History:

- High Court imposed stringent bail conditions including embassy certification and Google Maps location sharing.  
- Frank Vitus appealed before the Supreme Court challenging these conditions.  
- The Supreme Court appointed an amicus curiae (Mr. Vinay Navare) to assist with privacy and constitutional issues.  
- Google LLC submitted an affidavit clarifying that dropping a PIN on Google Maps does not enable real-time tracking.

## Issues before the Court:

1. Whether requiring a certificate of assurance from the Nigerian Embassy was mandatory for granting bail to a foreign accused.  
2. Whether imposing the Google Maps PIN drop condition violated the appellant’s right to privacy under Article 21.  
3. Whether the High Court erred by mechanically imposing conditions without considering the constitutional rights of the accused.

## Judgment:

- The Supreme Court deleted both challenged bail conditions (Embassy certificate and Google PIN drop).  
- It held that such conditions were not mandatory and violated Article 21 rights.  
- The court clarified that bail conditions must serve legitimate purposes like ensuring trial attendance and preventing evidence tampering, but cannot be arbitrary or excessively onerous.

## Key Legal Findings:

1. Bail conditions must fall within the limits of Section 437(3) CrPC and Section 37 NDPS Act.  
2. Conditions must not be fanciful, freakish, or violate Article 21 rights.  
3. Foreign embassies are under no legal obligation to issue such certificates; if not provided within 7 days, courts can waive the requirement.  
4. Location tracking conditions like mandatory Google Maps PIN drops violate privacy and cannot be imposed unless absolutely necessary.  
5. Courts must balance accused rights with investigation needs while framing bail conditions.

## Final Decision:

✅ Both bail conditions (Embassy certificate and Google PIN drop) deleted  
✅ Appeal allowed to this extent  
✅ Matter listed for final directions on 15 July 2024 regarding compliance by the appellant