



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Thirty First day of March Two Thousand Fifteen

PRESENT

The Hon'ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5293 of 2015

LAKSHMI

... PETITIONER/ ACCUSED No.2

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
AMBATHURAI POLICE STATION, DINDIGUL DT,
CRIME NO.52/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.SEEMARAJ Advocate

For Respondent : M/S.A.P.BALASUBRAMANI Government Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 21.02.2015 for the offence punishable under Section 8(c) r/w 20(b)(ii)(B) of NDPS Act, in Crime No.52 of 2015, on the file of the respondent police, seeks bail.

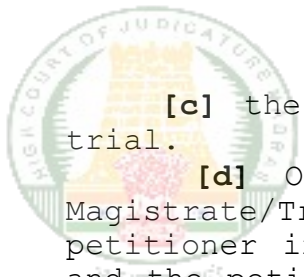
2. It is the case of the prosecution that this petitioner along with the co-accused one Gnana Sundarai (A-1) was found in possession of 1.100 Kilograms of Ganja on 21.02.2015 and they were arrested. This Court has granted bail to Gnana Sundari (A-1) in Crl.O.P.(MD)No.5297 of 2015, on 30.03.2015.

3. The learned Government Advocate (Criminal side) submits that there are two previous cases against this petitioner.

4. Since the Co-accused has been granted bail and the petitioner is in incarceration since 21.02.2015, this Court is of the view that it is a fit case to grant bail to this petitioner. Accordingly, the petitioner is ordered to be released on bail on her executing 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 Principal Special Court for NDPS Act Cases, Madurai, and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and, thereafter, as and when required for interrogation.

[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] The Inspector of Police concerned is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the petitioner is complying with the order or not.

sd/-
31/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE PRINCIPAL SPECIAL COURT FOR NDPS ACT CASE, MADURAI.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

3 THE OFFICER INCHARGE, SUB JAIL, NILAKKOTTAI.

4 THE INSPECTOR OF POLICE
AMBATHURAI POLICE STATION, DINDIGUL DISTRICT.

+1. CC to M/S.K.SEEMARAJ Advocate SR.No. 15964.

TS/31.03.2015/2P-6C

ORDER IN
CRL OP(MD) No.5293 of 2015
Date :31/03/2015