



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

Wednesday, the Twentieth day of May Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice V.S.RAVI

CRL OP(MD) No.9414 of 2015

WEB COPY

SELVARANI

... PETITIONER/ACCUSED NO.4
Vs

STATE REP BY THE INSPECTOR OF POLICE
PALANICHETTIPATTI POLICE STATION, THENI DIST.
(CRIME NO. 146 OF 2015) ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MUNIYANDI Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

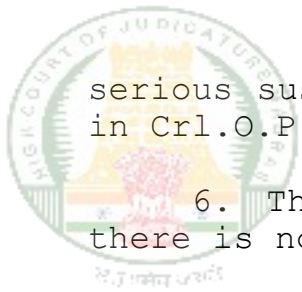
This is an application filed by the petitioner/fourth accused, who has been arrested and remanded to judicial custody on 05.03.2015 for the alleged offences punishable under Sections 8(c) r/w 20 (b) (ii) (c) of NDPS Act in Crime No.146 of 2015 on the file of the respondent police seeking bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (crl. side).

3. It is stated in the petition that the petitioner has been remanded to judicial custody on 05.03.2015 and the petitioner is an innocent lady and there is no previous case pending as against the petitioner herein. Further, it is specifically stated in the petition that the respondent has not followed the mandatory provisions as laid down in the N.D.P.S Act and the respondent has not even followed the mandatory provisions of Sections 42, 52, 55 and 57 of N.D.P.S Act. Further, it is specifically stated in the petition that there is no document to show that information has been furnished to the immediate superior of the respondent. Furthermore, it is stated in the petition that the property seized has not been produced within the stipulated time and the provisions under Section 52 of the N.D.P.S Act has not been followed by the respondent police.

4. The learned counsel for the petitioner reported that already A-3 has been granted bail by this Court in Crl.O.P(MD)No.8088 of 2015, by order dated 27.04.2015 and the learned counsel has also produced the said order copy.

5. On a perusal of the said order, it is found that the Court has clearly observed in Paragraph No.5 of the said order that in similar facts, the Court considered the bail application on the ground that the arrest memo contains the crime number, which creates



serious suspicion over the case of the prosecution and granted bail in Crl.O.P(MD)No.6744 of 2015, dated 20.04.2015.

6. The learned Government Advocate(Crl. Side) reported that there is no previous case pending as against the petitioner herein.

7. No material record has been filed on behalf of the respondent though sufficient opportunity has been given to file the same.

8. On consideration of the above mentioned facts and circumstances and situation of the present case, it is found that the present case is a fit case for grant of bail with conditions. Accordingly, the petitioner is ordered to be released on bail on the following conditions:-

(i) The petitioner shall execute a personal bond for a sum of Rs.10,000/- (Rupees ten thousand Only) with two sureties for a like sum to the satisfaction of the learned Additional District Judge for Principal Special Court for EC & NDPS Act Cases, Madurai.

(ii) The petitioner shall appear before the respondent police daily twice i.e., at 10.00 a.m., and 5.00 p.m., until further orders.

(iii) The petitioner shall surrender her passport, if any, before the trial Court.

(iv) The petitioner shall not leave Koodankipatti, Theni, Theni District, without prior permission of the concerned Court.

(v) The petitioner shall not try to intimidate, threat, influence or allure the prosecution witnesses in any manner.

(vi) In case of any breach or violation of any of the above said conditions, the State would be at liberty to move the Court for cancellation of bail granted to the petitioner.

(vii) The petitioner shall make herself available for interrogation by the police officer as and when required.

(viii) The petitioner should furnish her residential address to the investigation officer forthwith by producing the true copy of the ration card/Voter ID/Adhar Card.

sd/-
20/05/2015

/ TRUE COPY /



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1 THE ADDITIONAL DISTRICT JUDGE
FOR PRINCIPAL SPECIAL COURT FOR EC AND NDPS ACT CASES, MADURAI

2 THE INSPECTOR OF POLICE
PALANICHETTIPATTI POLICE STATION, THENI DIST.

3 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE SUPERINTENDENT,
WOMEN CENTRAL PRISON, TRICHY

+1. CC to M/S.S.MUNIYANDI Advocate SR.No.25862

ORDER
IN
CRL OP(MD) No.9414 of 2015
Date :20/05/2015

AA/22.05.2015/3p - 6c/