



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

Tuesday, the Twenty Second day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17715 of 2015

JEYA

... PETITIONER/ACCUSED NO.5

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
DHANUSKODI POLICE STATION,
IN CRIME NO. 68 OF 2014,
RAMANATHAPURAM DISTRICT.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S J.LAWRANCE Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

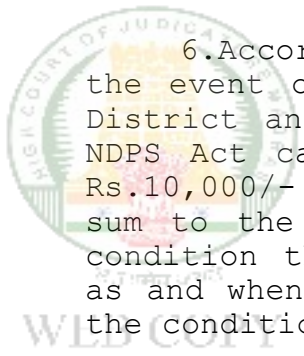
The petitioner, who is arrayed as A5 apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 8(c) r/w 20(b)(II)(c) and section 25 of NDPS Act, in Crime No.68 of 2014 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the accused were found in joint possession of 192 kgs of Ganja.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent and she has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case, based on confession of the co-accused. The learned counsel further submitted that the petitioner is suffering from cancer and now, she is taking treatment in Censer Institute, (WIA), Chennai. It is further submitted that A3, A4 and A7 were enlarged on bail by this court in Crl.O.P(MD)Nos.9694 and 6399 of 2015.

4.The learned Government Advocate (Criminal side) appearing for the respondent filed a counter affidavit of the respondent and submitted that the investigation is almost over and the petitioner/A5 helped the other accused persons to smuggle the contraband to Srilanka.

5.Considering the allegations made against the petitioner and also considering the fact that similarly placed accused that of the petitioner ~~has been enlarged on bail~~, this Court is inclined to enlarge the petitioner on anticipatory bail with certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Additional District and Sessions Judge/Presiding Officer, Special Court for EC and NDPS Act cases, Pudukkottai and 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 learned Judge concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Judge within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
22/09/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE/PRESIDING OFFICER,
SPECIAL COURT FOR EC AND NDPS ACT CASES, PUDUKKOTTAI.
- 2 THE INSPECTOR OF POLICE, DHANUSKODI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.17715 of 2015
Date : 22/09/2015

CSL/NGM-SS/SAR-II/30.09.2015
2P/4C