



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

Wednesday, the Tenth day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.2429 of 2016

RANI

..PETITIONER/ACCUSED NO.2

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
CUMBUM NORTH POLICE STATION,
THENI DISTRICT.
CR. NO.630/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.MAHENDRAPATHY Advocate
For Respondent : MR.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

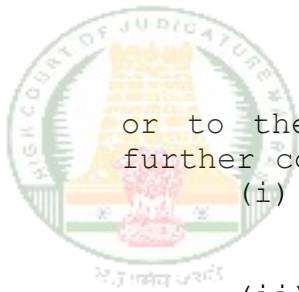
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioner, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 8(c) 4/2 20(b)(ii)(B) of NDPS Act, in Crime No.630 of 2015, on the file of the respondent Police, seeks anticipatory bail.

2. Heard Mr.S.Mahendrapathy, learned counsel appearing for the petitioner / 2nd Accused and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is the case of the prosecution that on 31.12.2015, one Arun Kumar / 1st Accused, who is the son of the petitioner herein, was found in possession of 4 Kgs., of Ganja and for which he was arrested and enlarged on bail subsequently. Based on the confession statement given by him, his mother / petitioner herein has been implicated in this case.

4. Taking into consideration the fact that on the confession statement given by Arun Kumar / 1st Accused, the petitioner herein has been implicated in this case, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioner / 2nd Accused. Accordingly, she is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Additional District Judge of Principal Special Court for EC & NDPS Act Cases, Madurai, on condition that the petitioner / 2nd Accused shall execute 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 respondent Police or to the Police Officer, who intends to arrest



or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner / 2nd Accused shall report before the respondent Police daily at 10.30 a.m., for interrogation until further orders.
- (ii) the petitioner / 2nd Accused shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner / 2nd Accused shall not abscond either during investigation or trial.
- (iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner / 2nd Accused in accordance with law as if the conditions have been imposed and the petitioner / 2nd Accused 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]**.

5. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-

10/02/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

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

2 -DO-THRO' THE PRINCIPAL DISTRICT JUDGE
MADURAI.

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

4 THE INSPECTOR OF POLICE
CUMBUM NORTH POLICE STATION, THENI DISTRICT.

+1. CC to M/S S.MAHENDRAPATHY Advocate SR.No.7987

akm/11.02.2016/2p-6c/NGM/SS/SAR-I

ORDER

IN

CRL OP(MD) No.2429 of 2016

Date :10/02/2016