



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

Wednesday, the Eleventh day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) No.5853 of 2018

KAVERI

... PETITIONER/1st ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
KUMBAKONAM WEST POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO.481 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.POORNA CHANDRAN, Advocate

For Respondent : M/S.A.P.G.OHM CHAIRMA PRABHU,
Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as 1st accused. She was arrested and remanded to judicial custody on 13.10.2017 for the offences punishable under Section 8(c) r/w 20(b)(ii)(c) of NDPS Act 1985 in Crime No.481 of 2017, on the file of the respondent police. She seeks bail.

2. The learned counsel appearing for the petitioner submitted that the petitioner is in judicial custody for more than 180 days and that the respondent has not so far filed final report and therefore, the petitioner is entitled for statutory bail.

3. Heard the learned Government Advocate(Criminal Side) and learned Counsel for the petitioner.

4. This Court went through the facts and circumstances of this case and seen that 180 days have since expired and that the final report has not been filed till date. Therefore, the petitioner is entitled to mandatory bail. Taking note of the background of the case, this Court is inclined to enlarge the



petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(i) the petitioner 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 learned Special Court for EC & NDPS Act Cases, Tanjavur.

(ii) the petitioner is directed to appear before the respondent police as and when required for interrogation.

(iii) the petitioner shall not abscond.

(iv) on breach of any of the aforesaid conditions, the 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 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]**.

sd/-

11/04/2018

/ TRUE COPY /

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

TO

- 1 THE SPECIAL COURT FOR EC & NDPS ACT CASES,
TANJAVUR
- 2 THE INSPECTOR OF POLICE,
KUMBAKONAM WEST POLICE STATION, THANJAVUR DISTRICT.
- 3 THE OFFICER-IN-CHARGE, SUB JAIL, THIRUVARUR
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.POORNA CHANDRAN Advocate SR.No.5845

ORDER

IN

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Date :11/04/2018

PK/CM-VR/GSR/11.04.2018 : 2P/6C