



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/01/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.19537 of 2019

Selvi

.. Petitioner/Accused No.3

Vs

State Rep.by
The Inspector of Police,
Mudukulathur Police Station,
Ramanathapuram District.
(Crime No.219/2019)

... Respondent/Complainant

For Petitioner : M/s.V.Malaiyendran,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 219/2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

2.The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under Sections 8(C) r/w 20(b)(ii)(B) of NDPS Act, in Crime No.219 of 2019, on the file of the respondent police, seeks anticipatory bail.

3.The First Information Report was registered based on the recovery of 1.300kg Kanja from A-1 Kutty @ Ranjithkumar. It is a small quantity. The First Information Report itself is based on the confession said to have been given by the said A-1. It is not in dispute that A-1, the husband of the petitioner is having previous cases under NDPS Act.



4.The petitioner's counsel would state that the petitioner has been implicated as A-3 in order to discourage her from filing any bail petition for harassment.

5.I find the said contention to be rather probable. In as much as, the petitioner is not having any previous case and that she has been implicated only on the strength of confession of A-1, I am inclined to grant anticipatory bail to the petitioner herein. I am also sued by the fact that the petitioner is a practising lawyer and a woman.

6.In view of the above, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate, Mudukulathur, 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 Magistrate 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 conditions stipulated under Section 438 Cr.P.C scrupulously.

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

sd/-

03/01/2020

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

TO

1. THE JUDICIAL MAGISTRATE, MUDUKULATHUR.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
 3. THE INSPECTOR OF POLICE,
MUDUKULATHUR POLICE STATION, RAMANATHAPURAM DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.V.MALAIYENDRAN, Advocate (SR-130[I] dated 03/01/2020)

ORDER

IN

CRL OP(MD) No.19537 of 2019

Date :03/01/2020