

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.05.2021

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CRL.OP.No.9160 of 2021

Suguna

.. Petitioner

Versus

The State,
Rep., by The Inspector of Police,
Thudialur Police Station,
Coimbatore.
(Crime No.163/2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 439 of the Code of Criminal Procedure seeking to enlarge the petitioner on bail in Crime No.163/2021 pending investigation on the file of the respondent-police.

For Petitioner : Mr.M.Jaikumar

For Respondent : Mr.S.Karthikeyan,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested on 22.04.2021 for the offences punishable under Section 8(c) read with Section 20(b)(ii)(B) of NDPS Act in Crime No.163 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in possession of 1.100 kgms of Ganja and cash of Rs.5,240/- on 19.03.2021.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and she is in judicial custody from 22.04.2021 and prays for release of the petitioner on bail.

4.The learned Additional Public Prosecutor strongly opposes this petition on the ground that the petitioner has 12 previous cases pending against her.

5.This is a case of possession of intermediate quantity of Ganja. It is true that the petitioner has 12 previous cases pending against her. However, considering that the petitioner is a woman aged about 50 years and the prevailing COVID19 situation and, this Court is inclined to grant bail to the petitioner. This Court is of the fond hope that she would not repeat the similar offence again.

6.Accordingly, the petitioner is ordered to be released on bail on each of them 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 Judicial Magistrate No.6, Coimbatore, and on further condition that:

- a) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.
- b) the petitioner shall report before the respondent police daily at 10.30 am. until further orders.
- c) the petitioner shall not abscond either during investigation or trial.
- d) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- e) On breach of any of the aforesaid conditions, the learned 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 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].
- f) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

13/05/2021

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.6, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
THUDIALUR POLICE STATION,
COIMBATORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

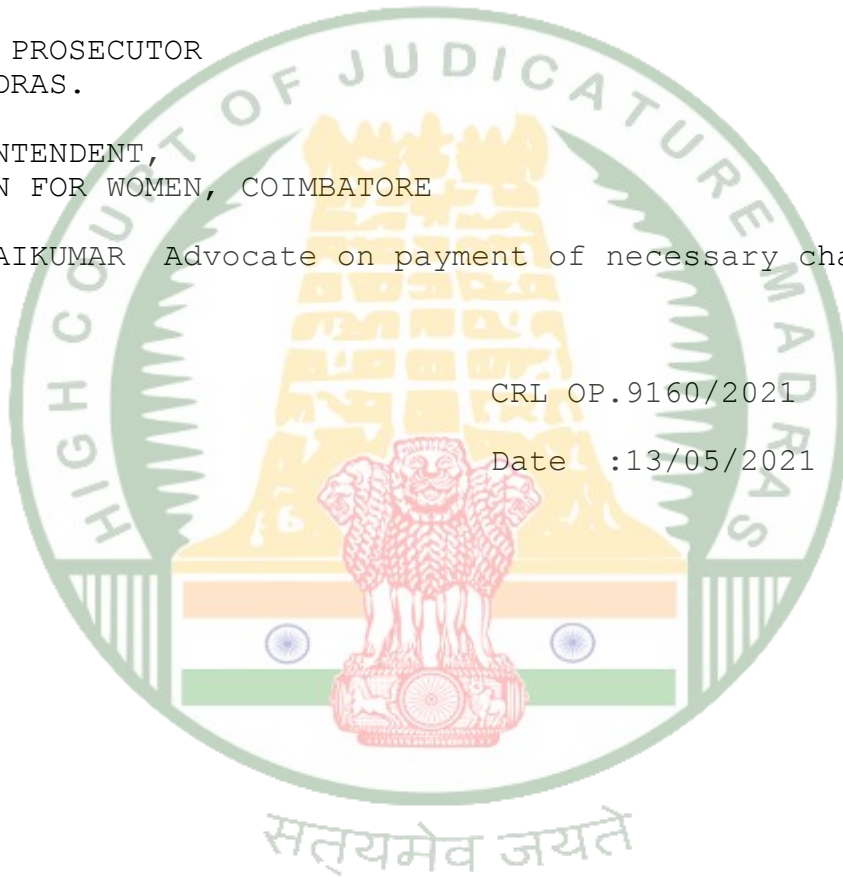
5 THE SUPERINTENDENT,
SPECIAL PRISON FOR WOMEN, COIMBATORE

CC to M.JAIKUMAR Advocate on payment of necessary charges
Sr.6165

CRL OP.9160/2021

Date :13/05/2021

RVR 17/05/2021



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