



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.12941 of 2021

Sharmila Begam

... Petitioner

Vs.

The Inspector of Police,
Rathnapuri Police Station,
Coimbatore City,
Coimbatore District.

... Respondent

Prayer:

Petition filed under Section 438 of Cr.P.C., seeking to enlarge the petitioner on bail in the event of her arrest in Crime No.492 of 2021 on the file of the respondent.

For Petitioner : Mr.A.Tamilarasan

For Respondent : Mr.C.E.Pratap for P.P.

O R D E R

The petitioner who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 8 (c) read with 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Cr.No.492 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that A1 and A2 in the case are alleged to have been found in possession of 1 Kg. 300 gms. of Ganja. The petitioner is arrayed as A3 in the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate submitted that there is no previous case as against the petitioner.

5.Considering the fact that the contraband has been seized from A1 and A2 and the fact that there is no previous case as against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.



6. Accordingly, the petitioner 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, Special Court for EC Act cases, Coimbatore, on condition that 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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 a.m. for a period of two weeks and thereafter as and when required for interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

27/07/2021

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 ADDITIONAL DISTRICT JUDGE,
SPECIAL COURT FOR EC ACT CASES, COIMBATORE.

2 THE INSPECTOR OF POLICE
RATHNAPURI POLICE STATION,
COIMBATORE CITY, COIMBATORE DISTRICT

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.A.TAMILARASAN Advocate on payment of necessary
charges Sr.7849

CRL OP.12941/2021

Date :27/07/2021

RVR 04/08/2021