



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.11.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.21342 of 2021

Rekha

...Petitioner

Versus

State Rep by
Inspector of Police,
J-11, Kannagi Nagar Police Station,
Kannagi Nagar
Chennai - 600 097.
(Crime No.143 of 2020)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure seeking to enlarge the petitioner on bail in the event of their arrest in Crime No.143 of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr.B.Ganesha Moorthy

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest for the alleged offences under section 8(c) r/w 20(b) (ii) (B) of the NDPS Act, 1985, in , in Crime No.143 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the daughter of A1. It is alleged that the petitioner along with other accused were involved in illegal selling of Ganja. Hence, the Law Enforcing Agency registered a case against the petitioner and thereby seized 1680gms of Ganja.

3. The learned counsel for the petitioner has not committed any such offence as alleged by the prosecution and she has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that A1 already arrested. He further submits that investigation almost



completed and there is no previous case pending against the petitioner. However, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, 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 his appearance before the Hon'ble Principal Special Judge, Principal Special Court under EC & NDPS Act, Chennai-104 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[c] the petitioner is directed to report before the respondent police on every Saturday at 10.30.a.m., for a period of four weeks and thereafter as and when required;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

19/11/2021

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.



1 THE PRINCIPAL SPECIAL JUDGE,
PRINCIPAL SPECIAL COURT UNDER EC & NDPS ACT,
CHENNAI-104.

2 THE INSPECTOR OF POLICE,
J-11, KANNAGI NAGAR POLICE STATION,
KANNAGI NAGAR,
CHENNAI-600 097.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.B.GANESHA MOORTHY Advocate on payment of necessary
charges SR.NO.13049

CRL OP.21342/2021

Date :19/11/2021

CSK 25/11/2021