



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.12.2021

CORAM:

THE HON'BLE MR. JUSTICE B.PUGALENDHI

CrI.O.P.No.25910 of 2021

Chithra

... Petitioner

Vs.

State, rep by
The Inspector of Police,
Chengalpet Taluk Police Station,
Chengalpet District.
(Crime No.617 of 2021)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge me on bail in the event of his arrest by the respondent police concerned in Crime No.617 of 2021 on the file of the respondent police.

For Petitioner : Mr.R.Rajadurai

For Respondent : Mr.A.Gokula Krishnan
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 8 (c), 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.617 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was in possession of 2.300 Kgs of Ganja. Hence the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner has been implicated in this case based on a confession statement given by the co-accused and no recovery has been made from the petitioner and she has not been involved in any previous cases of this nature. He added on instructions that the petitioner on her own volition to show her bonafide is ready to deposit a sum of Rs.25,000/- to any of the hospital. Accordingly, prays for grant of anticipatory bail to the petitioner.



4.The learned Additional Public Prosecutor submits that the petitioner was illegally found in possession of 2.300 Kgs of Ganja. Hence he vehemently opposed for the grant of anticipatory bail to the petitioner.

5.Considering the submissions made by both counsel, the petitioner is implicated through the confession statement of another accused, not involved in any previous case and also considering the fact that the petitioner on her own volition to show her bonafide is ready to deposit Rs.25,000/-, 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 Judicial Magistrate Court No-II, Chengalpet on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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., until further orders for interrogation;

(c) the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the Government Yoga and Naturopathy Medical College and Hospital, Arignar Anna Government Hospital of Indian Medicine Campus, Arumbakkam, Near Anna Arch, Chennai-600 106.

(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 has been imposed and the petitioner is 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.

WEB COPY

-sd/-
29/12/2021

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.II, CHENGALPET

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
CHENGALPET TALUK POLICE STATION,
CHENGALPET DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE GOVERNMENT YOGA AND
NATUROPATHY MEDICAL COLLEGE AND HOSPITAL,
ARIGNAR ANNA GOVERNMENT HOSPITAL OF INDIAN
MEDICINE CAMPUS, ARUMBAKKAM, NEAR ANNA ARCH,
CHENNAI - 600 106.

CC to M/S.R.RAJADURAI Advocate on payment of necessary charges
Sr.15693

CRL OP.25910/2021

Date :29/12/2021

RVR 03/01/2022