



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.10890 of 2022

POONGODI

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
MECHERI POLICE STATION,
SALEM DISTRICT
CR.NO.423 OF 2021.

[RESPONDENT]

For Petitioner : M/S.W.CAMYLES GANDHI Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (CrI. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 31.08.2021 for alleged offence under Section 8(c) r/w 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances, Act, 1985 in Crime No.423 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution was that the petitioner was found in possession of 5.500 kgs of Ganja and that she is a repeated offender, who has nearly six (6) cases pending for similar offence.

3. Heard Mr.W.Camyles Gandhi, learned counsel for the petitioner and Mr.S.Santhosh, learned Government Advocate (CrI.Side).

4. In the present case, the quantity that has been recovered from the petitioner falls in the category of "in between" quantity. It is also seen that all the earlier cases have been registered by the very same police station. The petitioner has already been suffering incarceration for nearly eight months and investigation has already been completed and final report has been filed. In view of the same, this Court is inclined to enlarge the petitioner on bail by imposing stringent conditions.



5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Special Court under EC & NDPS Act Cases, Salem and on further conditions 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 appear before the Special Court under EC & NDPS Act Cases, Salem at 10.30 a.m on every Monday until further orders.

[c] the petitioner shall report before the respondent police at 10.30 a.m. on every Friday until further orders.

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

[e] the petitioner shall not abscond either during 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/-
19/05/2022

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 SPECIAL COURT UNDER EC & NDPS ACT CASES,
SALEM

WEB COPY

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
SPECIAL PRISON FOR WOMEN,
SALEM

4 THE INSPECTOR OF POLICE,
MECHERI POLICE STATION,
SALEM DISTRICT

+1 CC to M/S.W.CAMYLES GANDHI Advocate on payment of necessary
charges SR.No. 7333

CRL OP.10890/2022

Date :19/05/2022

SP(19/05/2022)