



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fifth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12383 of 2022

VELANKANI

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
G-1 VEPERY POLICE STATION,
CHENNAI
CRIME NO.109 OF 2022.

[RESPONDENT]

For Petitioner : M/S.B.GOPALAKRISHNAN, Advocate for
M/S.C.RAJA Advocate

For Respondent : M/S.A.DAMODARAN, Additional Public Prosecutor

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 02.04.2022 for the alleged offences under Section 8(C), 20 (b) (ii) (B) of NDPS Act, 1985 in Crime No.109 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 1Kg 100gms of Ganja.

3. The learned counsel for the petitioner submitted that the petitioner is a lady and she has been in prison for the past so many days. She being a lady has to take care of her children and family and she hails from a poor family.

4. The learned Additional Public Prosecutor has filed a counter and submitted that in the dismissal order of the lower Court, it is mentioned that the petitioner had got previous case. He further



submitted that 1Kg 100gms of Ganja has been seized from the petitioner and all the statutory provisions had been followed. Hence, vehemently opposed for grant of bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the fact that the petitioner is a lady and the period of incarceration suffered, this Court is inclined to grant bail to the petitioner subject to following conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his 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 Metropolitan Magistrate-II, Egmore 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 report before the respondent police daily at 10.30 am daily 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].

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

-sd/-
25/05/2022

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 METROPOLITAN MAGISTRATE,
NO.II, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
G-1 VEPERY POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON,
WOMEN SPECIAL JAIL,
PUZHAI, CHENNAI.

+1 CC to M/S.C.RAJA Advocate on payment of necessary charges
SR.NO. 7841

CRL OP.12383/2022

Date :25/05/2022

RW-26/05/2022