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CrI.OP.No.16528 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.OP.No.16528 of 2022

Radha

...Petitioner/A2

Vs.

State by:

Inspector of Police,
Anaicut Police Station,
Vellore District.

Cr.No.59/2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Cr.No.59/2022 pending on the
file of the Inspector of Police, Anaicut Police Station, Vellore District.

For Petitioner : Mr.N.Sudharsan

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 11.06.2022 for the offences punishable under Section 8(c)
r/w. 20(a)(i) of NDPS Act in crime No.59 of 2022 on the file of the
respondent police, seeks bail.



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2. The case of the prosecution is that petitioner along with another accused person have cultivated Ganja plants. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that a false case has been foisted against the petitioner. He would also submit that the petitioner was arrested and remanded to judicial custody on 11.06.2022. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the petitioner along with another accused person cultivated 3.335 kilograms of Ganja plants in their land. He would also submit that the petitioner has no previous case pending against her.

4. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of her arrest i.e., 11.06.2022, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.10,000/- (Rupees ten thousand**



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only) with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.V, Vellore, Vellore District**, 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 a.m., until further orders .

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

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

20.07.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate No.V,
Vellore, Vellore District.
- 2.The Inspector of Police,
Anaicut Police Station,
Vellore District.
- 3.Central Prison for Women at Vellore.
- 4.The Public Prosecutor,
High Court of Madras

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