



WEB COPY



Crl.O.P.No.17524 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2022

CORAM

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

Crl.O.P.No.17524 of 2022

1.Devi
2.Gayathiri

... Petitioners

Vs.

State represented by
The Inspector of Police,
H8-Thiruvottiyur Police Station,
Chennai District.
(Crime No.344 of 2022)

... Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail in the above said Crime No.344
of 2022 pending investigation on the file of the respondent police.

For Petitioners : Mr.R.Dineshkumar

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



WEB COPY



Crl.O.P.No.17524 of 2022

ORDER

The petitioners, who were arrested and remanded to judicial custody on 10.04.2022 for the offence under Sections 8(c) read with 22(C) and 29(1) of NDPS Act, 1985 in crime No.344 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioners along with other accused were involved in illegal possession of 25 MDMA tablets. Hence, the case.

3.The learned counsel appearing for the petitioners submits that the petitioners is an innocent person and he has not committed any such offence as alleged by the prosecution. Further, on instruction, he would submit that in order to show his bonafide, the petitioners is ready and willing to deposit a sum of Rs.25,000/- each to **Adyar Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai**. That apart, the petitioners was arrested and remanded to judicial custody on 10.04.2022.



Crl.O.P.No.17524 of 2022

Hence, he prays for grant of bail to the petitioners.

4.The learned Additional Public Prosecutor submits that the petitioners along with other accused were in possession of 25 MDMA tablets . Hence, he opposed to grant bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioners ie., from 10.04.2022, this Court is inclined to grant bail to the petitioners.

6. Accordingly, the petitioners shall deposit a sum of Rs.25,000/-(Rupees twenty five thousand only) each directly to **Adyar Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai** and on such deposit the petitioners 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 blood related sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate at Thiruvottiur** 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



Crl.O.P.No.17524 of 2022

their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall deposit a sum of Rs.25,000/-(Rupees Twenty Five Thousand only)each directly to the **Adyar Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai** and that the receipt of such payment shall be produced before the concerned Magistrate at the time of executing the bond;

[c] the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall not tamper with evidence or witness 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

03.08.2022

Sma



WEB COPY



Crl.O.P.No.17524 of 2022

To

1. Judicial Magistrate Court,
Thiruvottiyur
2. The Inspector of Police,
H-8 Thiruvottiyur Police Station,
Chennai.
3. The Central Prison,
Puzhal
4. The Public Prosecutor,
Madras High Court.



WEB COPY



Crl.O.P.No.17524 of 2022

G.K.ILANTHIRAIYAN, J.

sma

Crl.O.P.No.17524 of 2022

03.08.2022