



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/01/2022

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.1202 of 2022

Saraswathi @ Thonthiammal,

... Petitioner/ Petitioner
/Accused No.4

Vs

The State Rep. by,
The Inspector of Police,
NIB CID Madurai,
Madurai.
(Crime No.130/2019).

... Respondent/Respondent
/Complainant

For Petitioner : Mr.K.K.Ramakrishnan, Advocate
for Mr. M.Pitchai Muthu, Advocate

For Respondent : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

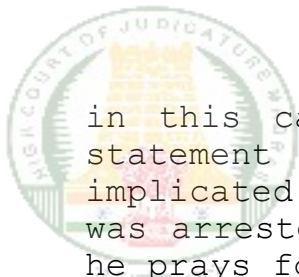
For Bail in Crime No.130 of 2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested on 22.12.2019, in connection with the case in Crime No.130 of 2019, registered for the offence under Sections 8(c) r/w 20 (b) (ii)(c), 25 & 27 A and 29(1) of NDPS Act, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of 2 Kgs of Ganja. Hence, the case was registered against the petitioner.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated



in this case. He further submitted that based on the confession statement of the co-accused alone, the petitioner's name is implicated in this case. He would further submit that the petitioner was arrested and remanded to judicial custody on 22/12/2019. Hence, he prays for grant of bail to the petitioner.

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4. The learned Additional Public Prosecutor submits that this is the second application for bail and the earlier application filed by the petitioner in Crl.O.P(MD).No.14627 of 2021 was dismissed on 08.10.2021 on the ground that the petitioner is having eight previous cases to her credit.

5. It appears that this is the second application for bail. The earlier bail Petition filed in Crl.OP(MD)No. 14627 of 2021 was dismissed as against the petitioner on 08.10.2021 on the ground that petitioner is having eight previous cases to her credit. Now, this application is filed by the petitioner without referring the change of circumstances to consider the case.

6. Since there is no change of circumstance and considering the antecedents of the petitioner, this Court is not inclined to entertain this Criminal Original Petition and the same is accordingly dismissed. However, considering the period of incarceration, the trial Court is directed to conclude the trial within a period of six months from the date of receipt of a copy of this order.

sd/-
27/01/2022

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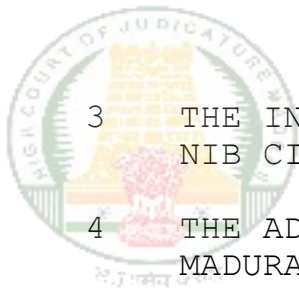
/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ssb

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDGE,
I ADDITIONAL SPECIAL COURT NDPS ACT CASES,
MADURAI.
- 2 THE OFFICER INCHARGE,
SPECIAL PRISON FOR WOMEN, MADURAI.



3 THE INSPECTOR OF POLICE,
NIB CID MADURAI, MADURAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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COPY TO

REGISTRAR (JUDICIAL)
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.1202 of 2022

Date :27/01/2022

PKP/JM/SAR-3/17.02.2022/3P/6C