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CrI.OP.No.23441 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

CrI.OP.No.23441 of 2023

Logeshwari

...Petitioner

Vs.

State represented by
Inspector of Police,
Saravanampatti Police Station,
Coimbatore District.
(Crime No.479 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.479 of 2023, on the file of the respondent police.

For Petitioner : M/s.R.Radha pandian

For Respondent : Mr.R. Kishore Kumar

Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.09.2023 for the offences punishable under Section 8(c) r/w 20(b)(ii)(B) and 29 (1) of NDPS Act, in Crime No.479 of 2023 on the file of the respondent police, seeks bail.

2.The learned counsel for the petitioner submitted that the



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petitioner is arrayed as 3rd accused in this case and she had been taken into custody along with an infant child on 18.09.2023. Thus, she prays for grant of bail to the petitioner.

3.It is stated by the learned Government Advocate (Criminal Side) that the A1 and A2 supplied Ganja to A3, A4 and A5, who in turn, will sell the same in small quantities. Thus, he prayed for dismissal of this petition.

4.Petitioner can also be considered as a victim of the entire issue. Taking into consideration the facts and circumstances of the case and the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions. Accordingly, the petitioner is ordered to be released on bail on she 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 Additional District Judge/Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore**, on further conditions that :-



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[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 every alternative days Morning 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



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can be registered under Section 229A IPC.

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To

1.The the Additional District Judge/Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore.

2.The Central Women Prison,
Coimbatore.

3.The Public Prosecutor,
High Court of Madras.

4.The Inspector of Police,
Saravanampatti Police Station,
Coimbatore District.
(Crime No.479 of 2023)

C.V.KARTHIKEYAN. J.



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