



WEB COPY



CrI.O.P.No.28198 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2023

CORAM

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

CrI.OP.No.28198 of 2023

Rajeswari

...Petitioner

Vs.

State rep.by
The Inspector of Police,
T-11, Thiruninravoor Police Station,
Chennai.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in FIR in Crime No.813 of 2020 on the file of the respondent police.

For Petitioner : Mr.A.Elumalai
For Respondent : Mr.R.Kishore Kumar
Government Advocate (CrI.Side)

ORDER

The petitioner in Crime No.813 of 2020 registered by the respondent Police for the offences under Sections 8 (c) r/w 20 (b)(ii)(B), 29 (i) NDPS Act and remanded to judicial custody on 26.10.2023 seeks bail.



Crl.O.P.No.28198 of 2023

2.As a matter of fact, after filing of the final report, the same had been taken cognizance in C.C.No.533 of 2022 and pending before the Ist Additional Sessions Court for trial of NDPS & EC Act cases, Chennai. Non Bailable Warrant was issued on 18.10.2023.

3.Taking all the factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions.

4.Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two fresh sureties each for a like sum to the satisfaction of the **Ist Additional Sessions Special Judge, Special Court for NDPS & EC Act, Chennai**, 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.



CrI.O.P.No.28198 of 2023

[b] the petitioner shall report before the trial Court every Monday till the completion of trial apart from the Court hearing dates.

[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.

sli

18.12.2023



WEB COPY



Crl.O.P.No.28198 of 2023

C.V.KARTHIKEYAN, J.

sli

To

1. The Ist Additional Sessions Special Judge,
Special Court for NDPS & EC Act, Chennai.

2.The Inspector of Police,
T-11, Thiruninravor Police Station,
Chennai.

3.Special Central Prison – Women, Puzhal -3, Chennai.

4.The Public Prosecutor, Madras High Court.

Crl.OP.No.28198 of 2023

18.12.2023