



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 10/03/2023
PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.4545 of 2023

Nithiya

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Tirukuvalai Police Station,
Nagapattinam District.
Crime No.73 of 2022.

... Respondent/Complainant

For Petitioner : M/s.KUMARAVEL K,
Advocate.

For Respondent : Mr.T.SENTHIL KUMAR,
Additional Public Prosecutor

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

PRAYER :- To enlarge the petitioner on bail in Crime No.73 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 06.02.2023 for the offences under sections 8(c) r/w 20(b)(ii)(B) of NDPS Act 1985 in Crime No.73 of 2022 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 1.100kgs of Ganja. Hence the case.

3.Heard. Perused the materials available on record including the First Information Report.

4.Taking into consideration of the facts and submissions made by the learned counsels and also the period of incarceration, this court is inclined to grant bail to the petitioner subject to the following conditions:

5.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 only) with two blood related sureties, each for a like sum to the satisfaction of learned Additional District Judge/Special Judge under EC Act Cases, Thanjavur 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 deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) as non refundable deposit by way of Demand Draft/RTGS/NEFT to the RAY OF LIGHT FOUNDATION; A/c No : 50100078904233; IFSC code : HDFC0001864; No.10, Nageswara Road, Nungambakkam, Chennai, Tamil Nadu 600034; Ph No.8939065431, and shall produce the receipt before the concerned Magistrate at the time of executing the bond;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

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

[e] the petitioner 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 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

10/03/2023

/ TRUE COPY /

10/03/2023

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

SJI

TO

1 THE ADDITIONAL DISTRICT JUDGE/
SPECIAL JUDGE UNDER EC ACT CASES, THANJAVUR.

2 THE OFFICER INCHARGE,
SUB JAIL, (WOMEN), THIRUVARUR.

3 THE INSPECTOR OF POLICE,
TIRUKUVALAI POLICE STATION,
NAGAPATTINAM DISTRICT.



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

COPY TO:

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THE OFFICER INCHARGE,
RAY OF LIGHT FOUNDATION,
NO.10, NAGESWARA ROAD, NUNGAMBAKKAM,
CHENNAI, TAMILNADU 600034.

+1 cc to Mr.K.KUMARAVEL, Advocate, SR.No.4011 Dt.13/03/2023

ORDER

IN

CRL OP(MD) No.4545 of 2023
Date :10/03/2023

SA/MMS/SAR. /10.03.2023/3P/7C