



WEB COPY

CRL OP(MD)A



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 21.06.2023

PRESENT

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

CRL OP(MD)No.11102 of 2023

Veyila ... Petitioner / Accused No.4

Vs

State represented by
The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
(Crime No.249 of 2023)

... Respondent / Complainant

For Petitioner : Mr.R.Tamil Amuthan, Advocate.

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.249 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c), 20(b)(ii)(B), 25, 29(1) of NDPS Act, 1985 in Crime No.249 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 30.05.2023, based on the secret information, the police party went to the place of occurrence for vehicle check up. At that time, they stopped two wheeler and found that the accused persons were in illegal possession of 1.600 kgs of ganja and A1 confessed that they purchased the ganja from A3 and the petitioner herein. Hence, the case.



3. Heard both sides and perused the materials available on record.

4. It is seen that the petitioner is having four previous cases. Though she has previous antecedents, now she is in seven months pregnancy. The petitioner was implicated in this case only based on the confession statement of the co-accused and there are no material to connect the petitioner along with other accused persons.

5. Considering the above facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Principal District and Sessions Judge for EC & NDPS Act Cases, Madurai on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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, daily at 10.30 A.M., for a period of two weeks and thereafter, as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond 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 FII registered under Section 229A IPC.

sd/-
21/06/2023

/ TRUE COPY /

/07/2023

WEB COPY

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

TO

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE
FOR EC & NDPS ACT CASES,
MADURAI.

2 THE INSPECTOR OF POLICE
THIRUMANGALAM TOWN POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.R.TAMIL AMUTHAN, Advocate (SR-9487[I] dated 23/06/2023
)

ORDER
IN
CRL OP(MD) No.11102 of 2023
Date :21/06/2023

gns
MK/04.07.2023 3P 5C