



Crl.O.P.No.25523 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM

**THE HON'BLE MR. JUSTICE P.DHANABAL**

Crl.O.P.No.25523 of 2024

Rathika

...Petitioner

Vs.

State rep by  
The Inspector of Police  
F5-Choolaimedu Police Station,  
Chennai  
Tamil Nadu (Crime No.453 of 2024)

...Respondent/Complainant

**PRAYER:** Criminal Original Petition filed under Section 483 of B.N.S.S. Act, 2023, praying to enlarge the petitioner on bail in Crime No.453 of 2024 on the file of respondent police.

For Petitioner : Mr.R. Vinoth

For Respondent : Mr.S.Vinothkumar  
Government Advocate (Crl.Side)

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### **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 14.09.2024 for the offences under Sections 8(c) r/w 21(b), 25, 27 and 29(1) of NDPS Act, 1985 in Crime No.453 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused were in illegal possession of 150 Nos of Nitrovet Tablets and 40 Nos of Tolpival Tablets. Hence, the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person, she has not committed any offence as alleged by the prosecution, and she has been falsely implicated in this case. He further submitted that the petitioner has been in custody since 14.09.2024 ; that she is a law-abiding citizen; that she is ready to furnish substantial sureties for his due release on bail; and therefore, he prays for the grant of bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) opposes the grant of bail to the petitioner by stating that the the petitioner along with other accused were in illegal possession of 150 Nos of Nitrovet Tablets and 40 Nos of Tolpatal Tablets. He further submitted that there is no previous case pending against the petitioners.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. 6.Considering the representation made on both sides and the fact that the quantity of material involved in this case is not a commercial quantity, there is no previous case pending against the petitioner and also taking into consideration the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand**



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**only)** with two sureties, each for a like sum to the satisfaction of the **Principal special Court under EC and NDPS Act at Chennai** and on further conditions that:

[a] the petitioner shall report before the Principal Special Court under EC & NDPS Act, Chennai-104 , on all working days at 10.30 a.m., until further orders, without fail.

[b] the petitioner shall attend in accordance with the conditions of the bond;

[c] the Petitioner shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the Petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[e] the Petitioner shall not abscond either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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



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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]; and

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

**18.10.2024**

*smn*

To

- 1.The *special Court under EC and NDPS Act at Chennai*
2. The Inspector of Police  
F5-Choolaimedu Police Station,  
Tamil Nadu Chennai
- 3.The Superintendent,Central Prison for women, Puzhal Chennai
- 4.The Public Prosecutor,  
High Court of Madras.



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**P.DHANABAL, J.**

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