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Crl.O.P.No.29557 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.29557 of 2024

Victoria

... Petitioner

Vs.

State rep. by
Inspector of Police,
H-3, Tondiarpet Police Station,
Washermenpet Dist, Chennai.
(Crime No. 160 of 2022)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending trial in
C.C. No. 360 of 2023 on the file of the Principal Special Court under EC & NDPS
Act, Chennai.

For Petitioner : Mr.S. Ambedkar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.160 of 2022 registered for
the offences punishable under Sections 8(c), 22(C) and 29(1) of NDPS Act, 1985



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and 77 of JJ Act, 2015 is on board for consideration.

2.The incarceration of the petitioner being from 19.09.2024 pleading innocence on the part of the petitioner, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner was regularly appearing before the trial Court, since she was arrested in another case, she was unable to appear before the trial Court on 08.01.2024 and thereby, non bailable warrant was issued against her and the same was executed on 19.09.2024. The learned counsel further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that since the petitioner was absent, the trial Court issued NBW against the petitioner on 08.01.2024 and the same was executed on 19.09.2024. The stage of the case before the trial Court is for appearance of the accused and framing of charges. He further submits that there is one previous case pending against the petitioner.



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4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record including the counter affidavit filed by the respondent, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, (out of which, one surety should be a blood related surety) each for a like sum to the satisfaction of the Principal Special Court under EC & NDPS 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;

[b] the petitioner shall report before the trial Court on all working days 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



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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 269 of B.N.S.

26.11.2024

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A.D.JAGADISH CHANDIRA., J.

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To

1. The Principal Special Court under
EC & NDPS Act, Chennai.
2. The Inspector of Police,
H-3, Tondiarpet Police Station,
Washermenpet Dist, Chennai.
3. The Superintendent,
Special Prison for Women, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

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