



CRL OP(MD)No.3422 of 2024

WEB COPY

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

Date : 04.03.2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD)No.3422 of 2024

Sathya

... Petitioner/ Accused No.1

Vs

**The Inspector of Police,
P.E.W. Police Station,
Srivilliputhur,
Virudhunagar District.
(Cr.No.66 of 2024)**

... Respondent/ Complainant

For Petitioner : M/s.R.Shunmathi Priya,Advocate

**For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor**

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

PRAYER :-

For Bail in Crime No.66 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

**The petitioner / A1, who was arrested and remanded to judicial custody on
29.01.2024 for the alleged offence punishable under Sections 8(c), 20(b)(ii)(A) and 25**

of NDPS Act and Section 77 of Juvenile Justice (Care and Protection of Children)Act

<https://www.mhc.tn.gov.in/judis>



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2015 in Crime No.66 of 2024, 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 140 grams of ganja. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she has not committed any such offence as alleged by the prosecution. Hence, he prays for bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that the petitioner is having two previous cases, which are similar in nature. However, he would fairly submit that the quantity involved in the present case as well as the previous case is not a commercial quantity.

5.Considering the period of incarceration suffered by the petitioner and also considering the fact that the quantity involved in the present case as well as the previous case is not a commercial quantity, this Court is inclined to grant bail to the petitioner with certain conditions.

6.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 sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Srivilliputhur and on further conditions that:

(a) the sureties shall affix their photographs and left thumb impression in the

<https://www.mhc.tn.gov.in/judis>



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surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner is directed to appear before the respondent police as and when required;

(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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
04/03/2024

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04/03/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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GNS
TO
WILL COPY

- 1 THE JUDICIAL MAGISTRATE NO.II,SRIVILLIPUTHUR.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
PEW POLICE STATION,
SRIVILLIPUTTUR,VIRUDHUNAGAR DISTRICT.
- 4 THE OFFICER INCHARGE,
SPECIAL PRISON FOR WOMEN,
MADURAI
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.BALAKRISHNAN, Advocate (SR-2667[I] dated 04/03/2024)

ORDER
IN

CRL OP(MD) No.3422 of 2024

Date :04/03/2024

PKP/SAR /04.03.2024/ 4P/ 7C

Madurai Bench of Madras High Court is issuing certified
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