



CRL OP(MD). No.7005 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

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Monisha Sheela,

... Petitioner/ Accused No.2

Vs

Union of India,
Represented by Intelligence Officer,
Directorate of Revenue Intelligence,
Madurai Sub-Regional Unit,
No.13/14, Saraswathi Nathi Street,
Mahatma Gandhi Nagar Main Road,
Madurai-625014.

... Respondent/ Complainant

For Petitioner : Mr. R.Gandhi, Senior Counsel,
for Mr.A.Balaji, Advocate.

For Respondent : Mr.C.Arulvadivel @ Sekar,
Special Public Prosecutor

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

PRAYER :- To enlarge the petitioner on bail in connection with
F.No.DRI/CZU/MDU/VIII/48/ENQ-01/INT-01/2024 on the file of the respondent.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on



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04.03.2024 for the offences punishable under Sections 21(c), 22(c), 28 and 29 of NDPS Act, 1985 (As Amended) in F.No.DRI/CZU/MDU/VIII/48/ENQ-01/INT-01/2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant herein is the wife of A1. On secret information, on 01.03.2024, when the train was reaching at Madurai Railway Station, A1 was identified and intercepted by the officers of Directorate of Revenue Intelligence (DRI), Madurai, and found 31.05 Kgs of Narcotic substance namely, Methamphetamine and the same was recovered. On the information given by him with regard to the remaining contraband, search was made in the house of A1 but, there was no recovery. On enquiry, the petitioner stated that she thrown away two white colour boxes in two different garbage bins, which was in her custody earlier. After search, one box was found in the garbage bin near to her house and another box, which was thrown into the garbage bin at 6th Main Road near to the P6 Police Station, Kodungaiyur, was found in the Chennai Corporation Dump Yard, Kodungaiyur. The first box found as empty box. The second box contains 6145 grams of Methamphetamine. Since the petitioner tried to destroy the evidence by throwing away the Methamphetamine, which was kept by A1 in his house, the respondent police filed a case against her for the offences stated above.

3.The learned counsel for the petitioner would submit that the petitioner is an



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innocent person and she has been falsely implicated in this case. He would further submit that the petitioner was working as teacher in a School and has two children. She is being wife of A1, present case has been registered against her and there was no direct recovery from the petitioner. Even as per prosecution, A1 himself acted only as only a carrier. Further, no previous case is pending against the petitioner and she is in judicial custody from 04.03.2024. Hence, he prays for grant of bail to the petitioner.

4.The learned Special Public Prosecutor appearing for the respondent would submit that at the relevant point of time, there is telephonic conversation between the petitioner and the main accused namely, John Britto, who is the main supplier of the drugs to A1. The John Britto having many telephone numbers. Some numbers belong to Country of Dubai and some numbers belong to Country of Srilanka. From these numbers, he contacted the petitioner so many times and the petitioner also demanded money from him for silver foil packing of the narcotic drugs, which have also been recovered from the petitioner. To that effect, the whats-app chats between them was also enclosed with the typed set of papers. Apart from that, the contraband involved in this case is commercial quantity and the investigation is in crucial stage. Hence, he strongly opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the facts that the contraband involved in this case is a commercial quantity and the



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investigation is in crucial stage, this Court is not inclined to grant bail to the petitioner at this point of time.

6. Accordingly, this Criminal Original Petition is dismissed.

7. However, the petitioner is at liberty to agitate the matter before the trial Court after filing of charge sheet.

sd/-
02/07/2024

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/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO
1 THE PRINCIPAL SESSIONS JUDGE
FOR EC AND NDPS ACT CASES, MADURAI.

2 THE INTELLIGENCE OFFICER,
UNION OF INDIA,
DIRECTORATE OF REVENUE INTELLIGENCE,
MADURAI SUB-REGIONAL UNIT,
NO.13/14, SARASWATHI NATHI STREET,
MAHATMA GANDHI NAGAR MAIN ROAD,
MADURAI-625014.

3 THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN, MADURAI.

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



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+1. CC to Mr.A.BALAJI, Advocate SR.No.31969 (F) DT.03/07/2024

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ORDER

IN

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Date :02/07/2024

SA/GS/SAR. /12.07.2024/5P/6C

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