



CRL OP(MD)No.8854 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 18.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.8854 of 2024

Sibaniya

... Petitioner/ Accused No.6

Vs

The Inspector of Police,  
PEW-Thoothukudi Police Station,  
Thoothukudi District.  
(Crime No.584 of 2023)

... Respondent/Complainant

For Petitioner : Mr.J.Jeyakumaran, Advocate  
For Respondent : Mr.T.Senthil Kumar,  
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.584 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime No.584 of 2023 for the offence under Sections 8(c), 20(b)(ii)(c), 25 and 29(1) of NDPS Act, 1985 and remanded her into judicial custody on 29.08.2023. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that the petitioner and other accused have

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illegally transported 108 kgs of ganja and the petitioner herein was in possession of 22 kgs of ganja. Hence, the case.

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3.The learned counsel for the petitioner submits that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He further submits that the petitioner herein is the wife of the first accused and hence, the respondent Police falsely implicated her in this case. The investigation in this case is completed and charge sheet is also filed in C.C.No.62 of 2024 before the concerned Court below and there is no previous case pending as against the petitioner. The petitioner is languishing in jail from 29.08.2023. Accordingly, he prays to grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent opposes for grant of bail on the ground that the petitioner herein was present in the scene of occurrence and she travelled along with contraband weighing about 108 kgs of ganja. Further, 22 kgs of ganja was recovered from the petitioner herein. During investigation, it came to light that the petitioner herein actively involved in drug trafficking.

5.Though there is no previous case pending as against the petitioner, considering the fact that 22 kgs of ganja was recovered from the petitioner and the objection raised by the learned Additional Public Prosecutor, this Court is not



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inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed. However, the District and Sessions Court for EC and NDPS Act Cases, Madurai shall endeavour to complete the trial in C.C.No.62 of 2024, as expeditiously as possible.

sd/-  
18/06/2024

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/07/2024

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

gns  
TO

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

2 THE INSPECTOR OF POLICE, PEW - THOOTHUKUDI POLICE STATION,  
THOOTHUKUDI DISTRICT.

3 THE OFFICER INCHARGE, SPECIAL PRISON FOR WOMEN,  
PALAYAMKOTTAI, TIRUNELVELI DISTRICT.

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

ORDER  
IN

CRL OP(MD) No.8854 of 2024  
Date :18/06/2024

RS/GS/SAR-(01.07.2024) 3P 5C  
Madurai Bench of Madras High Court is issuing  
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