



CRL OP(MD)No.8823 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date :18.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.8823 of 2024

1.Rathinammal
2.Palanisamy
3.Murugeshwari

... Petitioners/ Accused No.1 to 3

Vs

The Inspector of Police,
Gandamanur Police Station,
Theni District.
(Crime No.90 of 2024)

... Respondent/Complainant

For Petitioners : Mr.M.Murugesan, 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.90 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against the petitioners in Crime No.90 of 2024 for the offence under Sections 8(c), 20(b)(ii)(A) NDPS Act and Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and remanded them into judicial custody on 25.05.2024. Therefore, the petitioners have filed this



CRL OP(MD)No.8823 of 2024

petition seeking bail.

WEB COPY

2.The case of the prosecution is that the petitioners were found in illegal possession of 45 grams of ganja. Hence, the case.

3.The learned counsel for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. However, they are languishing in jail from 25.05.2024.

4.The learned Additional Public Prosecutor appearing for the respondent opposes for grant of bail on the ground that the first petitioner is having 12 previous cases to her credit and the second petitioner is having five previous cases to her credit. However, he fairly submits that there is no previous case pending as against the third petitioner.

5.Considering the nature of offence and also considering the antecedents of the first and second petitioners, this Court is not inclined to grant bail to the first and second petitioners. Accordingly, this criminal original petition is dismissed as against them.

6.Considering the period of incarceration of the third petitioner and also considering that there is no previous case pending against her, this Court is inclined to grant bail to the third petitioner with certain conditions.



CRL OP(MD)No.8823 of 2024

WEB COPY

7. Accordingly, this Criminal Original Petition is partly-allowed and the third petitioner is ordered to be released on bail,

i) on the third petitioner executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate Court, Andipatti, Theni District;

ii) The third petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in proof of their residence address;

iii) The third petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders. She has to co-operate for the investigation;

iv) The third petitioner shall not misuse the liberty granted to her by indulging in any further offence and shall not tamper with the prosecution witnesses. She shall be available for the trial as well.

v) On violation of any of the above conditions by the third petitioner, the respondent police shall move an application for cancellation of the bail.

sd/-
18/06/2024

/ TRUE COPY /

18/06/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD)No.8823 of 2024

TO

WEB COPY

1 THE JUDICIAL MAGISTRATE, ANDIPATTI, THENI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE INSPECTOR OF POLICE, GANDAMANUR POLICE STATION,
THENI DISTRICT.

4 THE OFFICER INCHARGE, DISTRICT PRISON, THENI, THENI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.8823 of 2024

Date :18/06/2024

RS//SAR-(18.06.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023