



CRL OP(MD).No.11504 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.08.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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Rathinammal

... Petitioner/ Accused No.1

Versus

State rep. by
The Inspector of Police,
Gandamanur Police Station,
Theni District.
(Cr.No.90 of 2024)

... Respondent/Complainant

For Petitioner : Mr.M.Murugesan
Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl. side)

PETITION FOR BAIL Under Sec.483 of BNSS

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 this petitioner in Crime No.90 of 2024 for the offence under Sections 8(c), 20(b)(ii)(A) of NDPS Act and 77 of



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the Juvenile Justice (Care and Protection of Children) Act, 2015 and remanded her into judicial custody on 25.05.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that the petitioner along with other accused was found in illegal possession of 45 grams of ganja. Hence, the case.

3. This is the second bail petition filed by the petitioner. The earlier bail petition, filed by the petitioner along with other accused, in Crl.O.P.(MD)No.8823 of 2024, was dismissed by this Court, on 18.06.2024, by considering the fact that the petitioner is having 12 previous cases to her credit.

4. Today, when the matter is taken up for hearing, the learned counsel appearing 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 one P.Muthupandi, S/o.Palkannan, who is running a grocery shop at Ganesapuram Road, Gandamanur, Aundipatti, has come forward to file an undertaking affidavit that the petitioner will not involve in any other offence in future. He has produced the undertaking affidavit filed by the said P.Muthupandi.



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5. Heard the learned Government Advocate (Crl. Side).

6. Considering the nature of offence, the period of incarceration and also considering the undertaking affidavit filed by one P.Muthupandi that the petitioner will not indulge in any other offence in future, this Court is inclined to grant bail to the petitioner with certain conditions.

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

i) on the petitioner executing a bond for a sum of Rs.1,00,000/- (Rupees one lakh only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Andipatti, Theni District.

ii) the sureties shall file separate affidavits before the concerned Judicial Magistrate as well as before the respondent Police that they will ensure that the petitioner will not involve in any further offence in future. Out of the two sureties, one surety shall be Mr.P.Muthupandi, who filed undertaking affidavit before this Court.

iii) The petitioner shall appear before the respondent Police daily at 10.30 a.m.



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until further orders. She has to co-operate for investigation.

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iv) The petitioner shall file an undertaking affidavit before the respondent Police and also before the concerned Judicial Magistrate that she will not indulge in any other offence in future.

v) The 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.

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

sd/-
06/08/2024

/ TRUE COPY /

06/08/2024
Sub-Assistant Registrar(AD-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

TO

1 THE JUDICIAL MAGISTRATE,
ANDIPATTI, THENI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.



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3 THE INSPECTOR OF POLICE
GANDAMANUR POLICE STATION,
THENI DISTRICT

4 THE OFFICER INCHARGE,
WOMEN PRISON, MADURAI.

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

ORDER

IN

CRL OP(MD) No.11504 of 2024

Date :06/08/2024

SS/SAR- /06/08/2024/5P/6C

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