



CRL OP(MD) No.12374 of 2024

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

Thursday, the First day of August Two Thousand and Twenty Four

PRESENT

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

CRL OP(MD) No.12374 of 2024

VELAMMAL

... PETITIONER / ACCUSED NO.3

Vs

The State Rep.by
The Inspector of Police,
Vanniyampatti Vilakku Police Station,
Virudhungan District.
Crime No.105 of 2024.

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.M.Pandian,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabakar,
Additional Public Prosecutor

PETITION FOR BAIL under Section 483 of B.N.S.S / Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.105 of 2024 on the file of the Respondent Police.



CRL OP(MD) No.12374 of 2024

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ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 19.07.2024 for the offences punishable under Section 8(C) r/w 20(b)(ii)(A) of NDPS Act and Section 77 of J.J Act, in Crime No.105 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 190 grms of ganja. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and she has been falsely implicated in this case. Hence, he prays for bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner was found in illegal possession of 190 grms of ganja. However, he fairly conceded that the contraband recovered from the accused is comes under the small quantity.

5.Considering the facts and circumstances of the case and also considering the facts that the petitioner was found to be in possession of small quantity of ganja and the petitioner is in judicial custody from 19.07.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions:



CRL OP(MD) No.12374 of 2024

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

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(iii) the petitioner shall not tamper with evidence or witness;

iv) the petitioner shall not abscond during trial.

v) 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].



CRL OP(MD) No.12374 of 2024

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

sd/-

01/08/2024

/ TRUE COPY /

/ 08/2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.2,
SRIVILLIPUTHUR.
- 2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
VANNIYAMPATTI VILAKKU POLICE STATION,
VIRUDHUNGAR DISTRICT.
- 4 THE OFFICER IN CHARGE,
SPECIAL PRISON FOR
WOMEN, MADURAI.



CRL OP(MD) No.12374 of 2024

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

ORDER
IN
CRL OP(MD) No.12374 of 2024
Date :01/08/2024

MGJ/05.08.2024/5P/6C

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