



CRL OP(MD). No.20837 of 2024

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

Date : 29.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Gayathiri

... Petitioner / Accused No.3

Vs

The State of Tamil Nadu
Represented by the Sub-Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.
(Crime No.631 of 2024)

... Respondent/Complainant

For Petitioner : Mr.J.Jeya Aron Raja, Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No. 631 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police



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for the alleged offences under Sections 8(C) r/w. 20(b)(ii)(B) and 25 of NDPS Act, in Crime No.631 of 2024 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that A1 and A2 were found in possession of 4 kgs of ganja. Based on the confession of A1, the petitioner, who is the wife of A1, has been added as A3.

3. The learned counsel for the petitioner submitted that a false case has been foisted against the petitioner and the petitioner has nothing to do with alleged offence.

4. The learned Additional Public Prosecutor (Criminal Side), on instructions, submitted that A1 is procuring ganja from Odisha and they are selling the ganja as a family. He further submitted that there is a previous case against A1 and there are no previous cases against this petitioner.

5. This Court has carefully considered the submissions made on either and the materials available on record.

6. Taking into consideration the facts and circumstances of the case and considering the fact that the contraband has been seized from A1 and the petitioner has been added as A3 based on the confession of A1 and there are no previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Principal Special Court for NDPS Act Cases, Madurai, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall appear before the respondent police as and when required.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under
Section 269 of BNS, 2023.

sd/-
29/11/2024

/ TRUE COPY /

/12/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL

To

1.The Judge,
Principal Special Court for NDPS Act Cases, Madurai.

2.The Sub Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.J.JEYA ARON RAJA, Advocate (SR-14756[I] dated 29/11/2024)

ORDER
IN
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Date :29/11/2024



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ED/ GSV /SAR- (06/12/2024) 5P / 5C

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