



Crl. O.P. No.3564 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.3564 of 2025

Madhubala W/o. Nithivanan

... Petitioner/Accused

Vs.

The State represented by-

The Sub-Inspector of Police,
N2 Kasimedu Police Station,
Chennai.
(Crime No.36 of 2025).

... Respondent

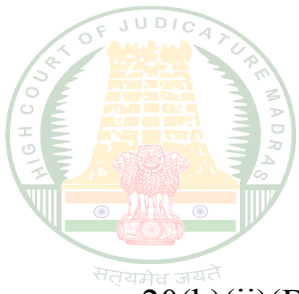
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.36 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. G. Ezhilbalaji

For Respondent : Mr. Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 16.01.2025, seeking bail in Crime No.96 of 2025 registered for the offence under Sections 8(c) read with



Crl. O.P. No.3564 of 2025

20(b)(ii)(B) and 29(1) of Narcotic and Substances Act, 1985.

2. The case of the prosecution is that on secret information, with regard to illegal sale of Ganja near Singaravelar Nagar, the respondent police went to the spot and found A1 to A5 in suspicious manner and on seeing the police, A2 to A5 escaped and the respondent caught A1 with illegal possession of 1.200 grams of Ganja

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent and she has not at all involved in any offence and she has been falsely implicated in this case and she is in judicial custody for more than 20 days and hence prayed for grant of bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner has 26 previous cases registered under Prohibition Act and she is on bail in those cases.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.



Crl. O.P. No.3564 of 2025

WEB COPY

6. Considering the nature of allegations, period of incarceration, the fact that the contraband seized is intermediate quantity, the petitioner is on bail in all the previous cases, co-accused were granted bail and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **XVI Metropolitan Magistrate, George Town, Chennai.**

[a] 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 report before the respondent Police, daily at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;



Crl. O.P. No.3564 of 2025

WEB COPY

[d] the petitioner shall not tamper with evidence or witness 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 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]***;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

18.02.2025

mjs

To

1. The XVI Metropolitan Magistrate, George Town, Chennai.
2. The Sub-Inspector of Police, N2 Kasimedu Police Station, Chennai.
3. The Superintendent, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



WEB COPY



Crl. O.P. No.3564 of 2025

SUNDER MOHAN., J.

mjs

Crl.O.P.No.3564 of 2025

18.02.2025