



WEB COPY

Crl.O.P.No.7822 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.7822 of 2025

Kalaivani
W/o. Murugan

....Petitioner/Accused

Vs

The State represent by
PEW Tiruvannamalai Police Station,
Tiruvannamalai District.
(Crime No.772/2022)

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory
bail in the event of her arrest **in Crime No.772 of 2022**, on the file of the
respondent police.

For Petitioner	: Mr. E. Sathiyaraj Elangovan
For Respondent	: Mr. S. Balaji Government Advocate (Crl. Side)



ORDER

WEB COPY

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c) and 20(b)(ii)(A) of Narcotic Drugs & Substances Act, in Crime No.772 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that, on 03.11.2022, the petitioner was found selling ganja at the backside of her house and on seeing the police she escaped from the spot and that the police seized 100 gms of ganja from the spot. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence and that the petitioner is ready to abide by any condition that may be imposed by this Court and to co-operate with the police for enquiry and sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the



WEB COPY

contraband was seized and that the petitioner has twenty two previous cases, out of which 11 cases are under NDPS Act, and opposed to grant of anticipatory bail to the petitioner.

5. Considering the fact that the FIR is of the year 2022 for the possession of 100 gms of ganja, the fact that the petitioner has not been arrested so far by the respondent, the petitioner is on bail on other cases and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 Judicial Magistrate-I, Tiruvnnamalai**, 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:

WEB COPY

[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 report before the respondent police twice a week at 10:30 a.m., until further orders.

[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 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.O.P.No.7822 of 2025

WEB COPY

[f] If the accused thereafter abscond, a fresh FIR

can be registered under Section 269 of B.N.S.

26.03.2025

bga

To

1. The Judicial Magistrate-I, Tiruvnnamalai
- 2.The State represent by
PEW Tiruvannamalai Police Station,
Tiruvannamalai District.
3. The Public Prosecutor, High Court, Madras.



WEB COPY



Crl.O.P.No.7822 of 2025

SUNDER MOHAN, J.

bga

Crl.O.P. No.7822 of 2025

26.03.2025