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Crl. O.P. No.10869 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10869 of 2025

Poongavanam

... Petitioner/Accused 6

Vs.

The State represented by-

The Inspector of Police,
P-4, Basin Bridge Police Station,
Chennai.
(Crime No.717 of 2024)

... Respondent

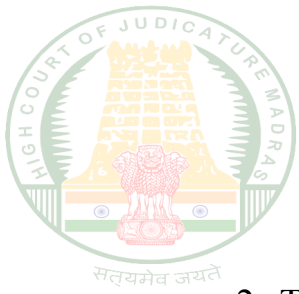
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.717 of 2024 pending investigation on the file of the respondent Police.

For Petitioner : Mr.C.V.Kumar

For Respondent : Ms.J.R.Archana
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 13.03.2025 seeking bail in Crime No.717 of 2024 registered for the offence under Sections 8(c) & 20(b)(ii)(B) of NPDS Act, 1985.



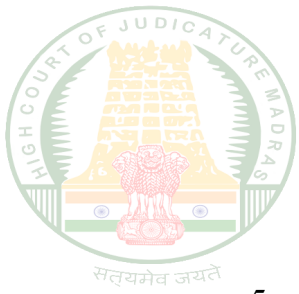
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2. The case of the prosecution is that the accused 1 to 3 were found in illegal possession of 2.160 kgs of ganja; that the confession statement of the first accused revealed that the petitioner was also involved in the said offence. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that the contraband has been seized and she is sought to be implicated as an accused based on the confession of the co-accused; that the petitioner is in custody from 13.03.2025 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 is sought to be implicated on the confession statement of co-accused and that the petitioner has nine previous cases, out of which, five cases under NDPS Act for possession of intermediate quantity which were registered in the years 2017, 2018 and 2024 respectively and four cases were registered for IPC offences.



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5. Considering the nature of allegations, period of incarceration, the fact that the total contraband seized from co-accused is intermediate quantity and the petitioner is sought to be implicated on the confession of co-accused; the petitioner is on bail in the previous cases 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.

6. Accordingly, the petitioner is ordered to be released on bail on her 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 **Principal Judge for NDPS Act cases at 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, everyday at 10.30 a.m., until further orders;

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

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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[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.

15.04.2025

rkp

To

- 1.The Principal Judge for NDPS Act Cases at Chennai.
- 2.The Inspector of Police,
P-4, Basin Bridge Police Station,
Chennai.
3. The Superintendent, Central Prison, Puzhal for Women, Chennai.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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