

Crl.O.P.No.14724 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **21.05.2025**

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THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.O.P.No.14724 of 2025

J.Sudha
Petitioner

...

-VS-

The State Represented by,
The Inspector of Police, (Law and Order)
H-8, Thiruvotriyur Police Station,
Chennai – 600 019.
(Crime No.689 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioners on bail in
the event of their arrest by the respondent police in Crime No.689 of 2025
pending investigation on the file of the respondent police.

For Petitioner : Mr.Ashokkumar Elumalai

For Respondent : Mr.A.Gopinath,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the alleged offences under Sections 8(c), 20(b)(ii)(B), 25, 29(1) of



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Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.104 of 2025, seeks anticipatory bail.

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2. The case of the prosecution is that on 01.05.2025 at about 7.00 p.m., on receipt of a secret information about illegal transportation of Narcotic substances, the Sub-Inspector of Police along with the Police team conducted a vehicle check up, during which, the accused was found to be in possession of 1.400 kgs of Ganja near Periyar Nagar Railway Track at Thiruvottiyur and the respondent have seized the contraband and based on the confession of A1 and A2, the petitioner herein was arrested. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and that the petitioner is sought to be implicated based on the confession of the co-accused. He further submitted that there is no previous case as against the petitioner under NDPS Act. He further submitted that even as per the prosecution, the alleged contraband is only an intermediate quantity. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there are totally three accused in this case and the petitioner herein is ranked as A3. He further submitted that the petitioner along with other accused were found to be in illegal possession of 1.400 kgs of Ganja. He would further submit that there are no previous cases pending as against the petitioner. However, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the arguments from both sides, the nature of the offence, the petitioner is sought to be implicated based on confession of co-accused, the petitioner has no previous case and considering the fact that the alleged contraband said to have recovered from the petitioner is an intermediate quantity and also considering other relevant aspects, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, this Criminal Original Petition stands allowed and



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the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate Court, Thiruvottiyur, Chennai**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

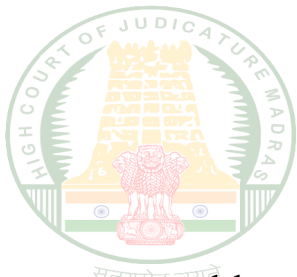
(a) **the petitioner, being a lady shall report before the respondent police as and when required for interrogation.**

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

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

[d] 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.



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“Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.”

To

- 1.The Inspector of Police, (Law and Order)
H-8, Thiruvotriyur Police Station,
Chennai – 600 019.
- 2.The Public Prosecutor,
High Court, Madras.
- 3.The Judicial Magistrate Court,
Thiruvottiur, Chennai.



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N.SENTHILKUMAR,J

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