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Crl.O.P. No.15284 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2025

CORAM

THE HON'BLE MR. JUSTICE M. NIRMAL KUMAR

Crl.O.P. No.15284 of 2025

Mariyambeevi

... Petitioner/ Accused No.1

Vs.

The State Rep. By,
The Inspector of Police,
Veerapandi Police Station,
Tiruppur District.
(Crime No.264 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with Crime No.264 of 2025, pending investigation on the file of the respondent.

For Petitioner : Mr. G. Saravanabhavan

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



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ORDER

Petition seeking bail in respect of Crime No.264 of 2025 registered for the alleged offences punishable under Section 123 of BNS, is on board for consideration.

2. The case of the prosecution is that the defacto complainant is having the habit of using Kanja; that while he is looking for psychotropic tranquillizers, he found the petitioner herein and A2, who instigated the petitioner to buy tablet from them, which gives effect of consuming drugs; that thereby, the defacto complainant purchased the tablet and mixed it with water and drunk, due to which he suffered some illness. Hence, this complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent, she has been falsely implicated in this case and she has not committed any offence as alleged by the prosecution; that the petitioner has been arrested and remanded to judicial custody on 03.05.2025. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and ready to co-operate for the investigation and prayed for bail to the petitioner.



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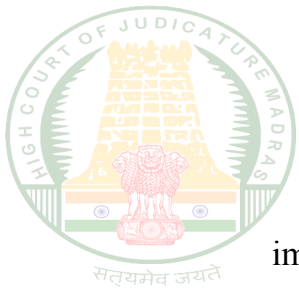
4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and on instruction submitted that some pain killer tablets were seized from the petitioner and the co-accused; and that the investigation is pending and opposed the bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, the nature of allegation against the petitioner, the submissions made by the learned counsels on either side, the period of incarceration undergone by the petitioner and the fact that the defacto complainant himself illegally using the psychotropic substances and lodging a complaint cannot be entertained, thereby, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail with the following conditions:

(1) The petitioner shall execute a bond for **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each for a like sum to the satisfaction of the **learned Judicial Magistrate-IV at Tiruppur.**

(2) **The petitioner shall report before the respondent police as and when required for interrogation;**

(3) The sureties shall affix their photographs and left thumb



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impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Metropolitan Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(4) The petitioner shall make himself available for interrogation by a Police Officer as and when required;

(5) The petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses;

(6) The petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

(7) On breach of any of the aforementioned conditions, the learned Metropolitan Magistrate is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].

(8) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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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 official website of this Court will be watermarked and will also have a QR code.**

To

1. The Judicial Magistrate-IV,
Tiruppur.
2. The Inspector of Police,
Veerapandi Police Station,
Tiruppur District.
(Crime No.264 of 2025)
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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M. NIRMAL KUMAR, J.

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