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Crl.O.P.No.31629 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2025

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.31629 of 2024

Esther @ Meena

... Petitioner

Vs.

State Rep. by
Inspector of Police
D-2, Anna Salai Police Station
Chennai 600 003

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.205
of 2024 on the file of the respondent Police.

For Petitioner : Mr.A.Elumalai

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

ORDER

Petition seeking bail in respect of Crime No.205 of 2024 registered for
the offences punishable under Sections 8(c) r/w.22(b) of NDPS Act, 1985 is on
board for consideration.



CrI.O.P.No.31629 of 2024

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2.The incarceration of the petitioner being from 09.11.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit an amount of **Rs.15,000/-** to any welfare scheme of the Government or any other organization. He also submits that the petitioner is no way connected with the alleged offences and she is ready to abide by any stringent condition that may be imposed by this court.

3.The case of the prosecution, as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner was found to be in possession of 5 grams of Methamphetamine at Express Avenue.

4.Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)**, to the credit of the "**Seva Chakkara Samajam (Orphanage)**, Address- **No.89/41, Sami Pillai Street, Choolai, Chennai – 112, Canara Bank, Vepery Branch, A/c.No. 0943101024681, IFSC Code No.**



Cr1.O.P.No.31629 of 2024

CNRB0000943" without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

5.Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions and 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)** each, **out of which, one must be a blood related surety** for a like sum to the satisfaction of the learned **II Metropolitan Magistrate, Egmore**, and on further conditions that:

[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;



WEB COPY



CrI.O.P.No.31629 of 2024

[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 of B.N.S.

03.01.2025

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CrI.O.P.No.31629 of 2024

To
WEB COPY

1.The learned II Metropolitan Magistrate,
Egmore.

2.The Inspector of Police
D-2, Anna Salai Police Station
Chennai 600 003

3.The Superintendent,
Special Central Prison – Women , Chennai.

4.The Public Prosecutor,
High Court of Madras.



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CrI.O.P.No.31629 of 2024

A.D.JAGADISH CHANDIRA., J.

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CrI.O.P.No.31629 of 2024

03.01.2025