



CRL OP(MD). No.3391 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.3391 of 2025

Kokila @ Gokila Mary

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
NIBCID Police Station,
Dindigul District.
In Cr No.2/2025

... Respondent/Complainant

For Petitioner : Mr.M. Karthick
Advocate

For Respondent : Mr.R. Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.2/2025 on the file of the respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 20.02.2025

under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to

<https://www.mhc.tn.gov.in/judis>



grant an order of pre-arrest bail.

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2. The petitioner / accused No.2 apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 8(c) r/w. 20(b) (ii) (B) and 29(1) of NDPS, Act 1985 in Crime No. 2 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 11.02.2025, based on the secret information, the defacto complainant, Sub-Inspector of Police along with his team, has conducted a vehicle check-up near GTN College Road, Kothampatti. At that time, they found that the first accused was in illegal possession of 4 kgs of Ganja. A1 was arrested. Based on the confession of A1 that he purchased the contraband from this petitioner, the petitioner herein was arrayed as A2. Hence, the case.

4. Mr.M.Karthick, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and a false case has been foisted against the petitioner. He further submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Hence, he prays for grant of pre-anticipatory bail to the petitioner.

5. Per contra, Mr.R.Meenakshi Sundararm, the learned Additional Public Prosecutor appearing for the respondent-police, submits that there is no previous case pending against the petitioner. He further submits that the investigation of the



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case is still pending. He further submits that at this stage of investigation, if the pre-arrest bail is granted to the petitioner, he may cause threat to witnesses and tamper with evidence. Hence, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. Considering the nature of offence allegedly committed by the petitioner and considering the fact that the petitioner has permanent residence and has deep roots in the society and therefore, there is less possibility of absconding and taking note of the fact that the petitioner has no previous case and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Principal Judge, NDPS Court, Madurai, within a period of 15 days from date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Principal Judge, NDPS Court, Madurai.

(ii) The sureties shall affix their photographs and left thumb impression in the



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Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned the learned Principal Judge, NDPS Court, Madurai shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) Thereafter, the petitioner shall appear and sign before the respondent-police daily at 10.30 am and 5.00 pm until further orders.

(iv) The petitioner shall make herself available for interrogation by a police officer as and when required.

(v) The petitioner shall not directly or indirectly cause any threat to the defacto complainant and tamper with evidence.

(vi) The petitioner shall not leave India without the previous permission of the Court.

(vii) The petitioner shall furnish her residential address and mobile number to the learned Principal Judge, NDPS Court, Madurai.

(viii) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

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



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8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
24/02/2025

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/03/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO

1 THE PRINCIPAL JUDGE,
NDPS COURT, MADURAI.

2 THE INSPECTOR OF POLICE,
NIBCID POLICE STATION,
DINDIGUL DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.3391 of 2025
Date :24/02/2025

SA/SKN/SAR. /07.03.2025/5P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.