



CRL OP(MD). No.3453 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

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Sinthuja

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Asaripallam Police Station,
Kanyakumari District.
Crime No.14 of 2025

... Respondent/Complainant

For Petitioner : Mrs.K.Sasi Prabha

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For bail in Crime No.14 of 2025 on the file of the respondent-police.



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ORDER : The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 20.02.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner/ accused was arrested and remanded to judicial custody on 25.01.2025 for the alleged offences punishable under Sections 8(c), 20(b)(ii)(B), 25 and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.14 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 25.01.2025, at about 10:00 hours, upon receiving secret information, the defacto complainant, the Sub-Inspector of Police, along with her team, was conducting an inspection behind the Kamarajar Auditorium near Arulmighu Mutharamman Temple, Keezhaperuvilai. On seeing the police, the accused persons attempted to escape. However, the police apprehended them. The police found that the petitioner and seven other persons were in possession of 1.750 kg of ganja. The respondent police arrested them and seized the ganja from the petitioner/A1 and four two-wheelers belonging to the accused persons, and a sum of Rs.10,000/- earned from the sale of ganja. Hence, the case.



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4. Mrs.K.Sasi Prabha, the learned counsel appearing for the petitioner, submits the petitioner has been falsely implicated in this case and she did not commit any offence as alleged by the prosecution. She further submits that the petitioner has been in judicial custody since 25.01.2025. She therefore prays to grant bail to the petitioner.

5. Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent-police, submits that there are totally nine accused persons in this case. The petitioner has been arrayed as A1. He further submits that the contraband was recovered from this petitioner, and that she was also in possession of Rs.10,000/- obtained from the sale of ganja. He further submits that the petitioner has one previous case, which is also similar in nature. Therefore, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner was arrested on 25.01.2025 and has been in judicial custody. The respondent-police seized 1.750 kg of ganja, which is an intermediate quantity.

The petitioner has one previous case, which is also similar in nature. The petitioner



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has permanent residence. Therefore, there is less possibility of absconding.

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Considering the above and also considering the fact that the petitioner is a woman and taking note of the period of incarceration and with a view to give one more opportunity to the petitioner to reform herself, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall execute a bond for 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 Judge, Principal Special Court for EC and NDPS Act Cases, Madurai;

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judge, Principal Special Court for EC and NDPS Act Cases, Madurai shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;



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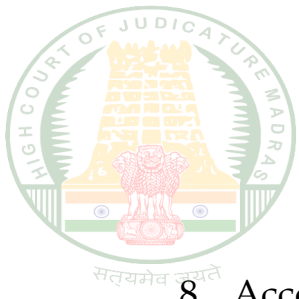
(iv) The petitioner shall not commit an offence similar to the offence of which she is accused, or suspected, of the commission of which she is suspected;

(v) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(vi) The petitioner shall furnish her residential address and mobile number to the learned Judge, Principal Special Court for EC and NDPS Act Cases, Madurai;

(vii) The petitioner shall appear and sign before the learned Judicial Magistrate No.I, Nagercoil on all working days at 10.30 a.m., until further orders; and

(viii) On breach of any of the aforementioned conditions, the learned Judge, Principal Special Court for EC and NDPS Act Cases, Madurai 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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24/02/2025

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

MBI

TO

1 THE JUDGE,
PRINCIPAL SPECIAL COURT FOR EC AND NDPS ACT
CASES, MADURAI.

2 THE INSPECTOR OF POLICE,
ASARIPALLAM POLICE STATION,
KANNIYAKUMARI DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, NAGERCOIL.

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

COPY TO:
THE JUDICIAL MAGISTRATE NO.I
NAGERCOIL.

+1 CC to M/s.K.SASI PRABHA, Advocate (SR-2014[I] dated 24/02/2025)



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ORDER

IN

CRL OP(MD) No.3453 of 2025

Date :24/02/2025

SS/SAR- /21/02/2025/ 7P/7C

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