



CrI.MP(MD) No.5452 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :29.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CrI.MP(MD) No.5452 of 2025

in

CrI.A(MD) No.354 of 2023

M.Menaga

... Petitioner

Vs.

State of Tamil Nadu,
Rep by the Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
Crime No.359 of 2021

... Respondent

For Petitioner : Mr.Na.Manimaran

For Respondent : Mr.T.Senthil Kumar

Additional Public Prosecutor

ORDER

The petitioner/A8 in CC.No.50 of 2022, on the file of the Special Principal District and Sessions Court for EC & NDPS Act cases, Madurai was tried along with ten other accused for the offence under Sections 8(c) r/w 20(b) (ii)(C), 29(1) and 25 of NDPS Act and she was found guilty by the trial Court and was convicted and sentenced to undergo 10 years rigorous imprisonment with fine of



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Rs.1,00,000/- and default sentence of six months was also imposed. As against the conviction and sentence imposed by the trial Court in CC.No.50 of 2022, dated 05.04.2023, the petitioner has filed a Criminal Appeal in Crl.A(MD) No.354 of 2023 and the same was admitted by this Court on 27.04.2023. The petitioner has also moved an application in Crl.MP(MD) No.6894 of 2023 to suspend the sentence imposed on her and the same was dismissed by this Court, by a detailed order, dated 06.09.2024, considering the quantity of contraband recovered from the accused.

2.Now, this second application is moved by the petitioner on the ground that she is in jail for 3 years and 8 months. She is having two children aged about 10 years and 7 years. It is also claimed that there is no one to look after her children and they have not been admitted in the School. Therefore, the learned counsel requests this Court to consider for grant of interim bail to this petitioner for a period of one month, enabling her to make necessary arrangements to admit her children in the School.

3.The learned Additional Public Prosecutor appearing for the respondent opposes for grant of suspension of sentence that the quantity involved in this case is 240 kgs of ganja, which is of commercial quantity and this petitioner was in possession of 25 kgs of ganja.



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4.This Court considered the rival submissions made and also perused the materials placed on record.

5.Considering the objections of the learned Additional Public Prosecutor, the earlier order of this Court and also there is no change in circumstances after the dismissal of the earlier application filed by this petitioner, this Court is not inclined to suspend the sentence imposed on this petitioner. However, considering the request of the petitioner that she is having two children aged about 10 and 7 years, there is no one to look after them and they have not been admitted in the School so far, this Court is inclined to grant interim bail to this petitioner for a period of one month with conditions. Accordingly, **this petitioner is ordered to be released on interim bail from 20.05.2025 to 20.06.2025 with the following conditions:-**

- i. The petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand) with two sureties each for a like sum to the satisfaction of the learned Special Principal District and Sessions Judge for EC and NDPS Act Cases, Madurai. The sureties must be of respectable persons in the Society.



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ii. The sureties shall filed an affidavit of undertaking before the respondent police for the availability of this petitioner during the interim suspension period and also her surrender before the Women Central Prison, Madurai, after completion of interim bail.

iii. The petitioner shall report before the respondent police, during the interim suspension period, daily at 5.00 p.m, till 20.06.2025.

iv. The petitioner shall surrender before the Women Central Prison, Madurai **on 21.06.2025.**

List on 21.06.2025.

sd/-
29/04/2025

/ TRUE COPY /

/05/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN

TO

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



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2 THE INSPECTOR OF POLICE,
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.

3 THE SUPERINTENDENT
WOMEN CENTRAL PRISON, MADURAI.

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

ORDER
IN
CRL MP(MD) No.5452 of 2025
in
CrI.A(MD) No.354 of 2023
Date :29/04/2025

SS/SAR- /06/05/2025/ 5P/5C

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