



CRL OP (MD) No.7796 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.7796 of 2025

Karpakam @ Karpagam

... Petitioner/ Accused No.1

Vs.

The State of Tamil Nadu
Rep. by the Inspector of Police,
PEW Trichy-City,
Trichy City,
(Crime No.71 of 2025)

... Respondent/Complainant

For Petitioner : Mr.N.Ananda Kumar
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS, 2023

PRAYER :-

For Bail in Crime No.71 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 24.04.2025 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner/ Accused No.1 was arrested and remanded to judicial custody on 14.04.2025 for the offences punishable under Sections 8(c) and 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.71 of 2025, on the file of the respondent-police.

3. The case of the prosecution is that, on 14.04.2025, at about 09:55 hours, based on secret information, the defacto complainant, the Sub-Inspector of Police, along with a police team, conducted an inspection near Mariamman Kovil Street, Ramji Nagar. While the police were approaching the house of the accused persons, they noticed two females standing near the said house. On seeing the respondent-police, one female person (A2) escaped from the scene of occurrence with a bag. The petitioner (A1) had kept a bag in an aluminium bucket and attempted to escape but was apprehended. On search, it was found that the petitioner (A1) was in possession of 2.040 kilograms of ganja in the said aluminium bucket. Thereafter, the respondent-police seized the contraband from her. Hence, the case.



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4. Mr.N.Anandkumar, learned counsel appearing for the petitioner, submits that the petitioner has not committed any offence as alleged by the prosecution and that a false case has been foisted against her. He further submits that the petitioner has been in judicial custody since 14.04.2025 and is ready to abide by any conditions that may be imposed by this Court. He further submits that the petitioner is a woman and therefore, prays for granting bail to the petitioner.

5. *Per contra*, Mr.R.Meenakshi Sundaram, 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 contraband has been recovered from the petitioner and that the investigation of the case is pending. He further submits that at this stage of investigation, if bail is granted to the petitioner, she may abscond and thereby cause a delay in the investigation proceedings. Hence, he strongly opposes to grant bail to the petitioner.

6. Heard on both sides and perused the case file.

7. The petitioner was arrested on 14.04.2025 and has been in judicial custody



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since then. In view of the offences allegedly committed by the petitioner and the facts that the alleged contraband, which is admittedly a small quantity, has been recovered from the petitioner and that the petitioner is a woman, this Court is of the opinion that further custody of the petitioner is not necessary for the Investigating Agency in this case. Further, the petitioner has permanent residence and deep roots in the society, and hence, there is less possibility of absconding. Considering the same and also considering the period of incarceration and with a view to give an 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.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Additional District and Sessions Judge / Presiding Officer, Special Court under Essential Commodities and NDPS Act cases, Pudukkottai;

(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



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Practice, 2019']. The learned Additional District and Sessions Judge / Presiding Officer, Special Court under Essential Commodities and NDPS Act cases, Pudukkottai, shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall furnish her residential address and mobile number to the learned Additional District and Sessions Judge / Presiding Officer, Special Court under Essential Commodities and NDPS Act cases, Pudukkottai;

(iv) The petitioner shall appear and sign before the respondent-police daily at 9.00 am until further orders;

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

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

(vii) 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 her



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from disclosing such facts to the Court or to any police officer or tamper with the evidence; and

(viii) On breach of any of the aforementioned conditions, the learned Additional District and Sessions Judge / Presiding Officer, Special Court under Essential Commodities and NDPS Act cases, Pudukkottai, 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].

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

sd/-
28/04/2025

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/04/2025

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

TRP
TO
1 THE ADDITIONAL DISTRICT AND
SESSIONS JUDGE/PRESIDING OFFICER, SPECIAL
COURT UNDER ESSENTIAL COMMODITIES AND NDPS
ACT CASES, PUDUKKOTTAI.



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2 THE SUPERINTENDENT,
SPECIAL PRISON FOR WOMEN AT CENTRAL PRISON,
TRICHY.

3 THE INSPECTOR OF POLICE,
PEW TRICHY-CITY,
TRICHY CITY,

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

+1 CC to M/s.N.ANANDA KUMAR, Advocate (SR-4909[I] dated 28/04/2025)

ORDER
IN
CRL OP(MD) No.7796 of 2025
Date :28/04/2025

SS/SAR- /29/04/2025/ 7P/6C

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