



W.P.(MD) No.15836 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.15836 of 2025

D.Chandira

... Petitioner

Vs

1. The Deputy Superintendent of Police,
Bodinayakanur Division,
Bodinayakanur,
Theni District.

2. The Inspector of Police,
Kurangani Police Station,
Bodinayakanur,
Theni District.

3. The Branch Manager,
Union Bank of India,
Bodinayakanur Branch,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondents 1 and 2 to release the petitioner's gold loan account Nos.65478880, 65478784, 65478745, held in third



W.P.(MD) No.15836 of 2025

WEB COPY

respondent bank and consequently, direct the third respondent to permit the petitioner reading her jewel.

For petitioner : Mr. R.Narayanan

For respondents :Mr.K.Sanjai Gandhi

Government Advocate (Crl.Side) for R1 & R2

Mr.V.Balasubramanian

Standing Counsel for R3

ORDER

Heard the learned counsel for the petitioner, learned Government Advocate (Crl.Side) for the respondents 1 and 2 and learned Standing Counsel for the third respondent.

2. This writ petition has been filed by the petitioner for the relief of directing the respondents 1 and 2 to release the petitioner's gold loan account Nos.65478880, 65478784, 65478745, kept with third respondent/bank and consequently, directing the third respondent to permit the petitioner to read her jewel.

3. The admitted position is that the petitioner, who was a sole accused in C.C.Nos. 556 & 562 of 2023 before the Principal Sub Court for EC and NDPS



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Act, Madurai, was convicted on 07.07.2023 by two separate judgements. The punishment awarded on the petitioner in respective cases reads as under:

S.No	C.C.No.556 of 2023	C.C.No.562 of 2023
1.	Both the accused are found guilty u/s 8(c) r/w 20(b)(ii) (B) of NDPS Act and the accused is convicted and sentenced to undergo Rigorous Imprisonment for 34 days and also imposed a fine of Rs.1,500/- in default the accused shall undergo simple imprisonment for 1 month. The period of detention already undergone by the accused from 14.04.2020 to 18.05.2020 are set off u/s.428 Cr.P.C.	Both the accused are found guilty u/s 8(c) r/w 20(b)(ii)(B) of NDPS Act and the accused is convicted and sentenced to undergo Rigorous Imprisonment for 39 days and also imposed a fine of Rs. 3,000/- in default the accused shall undergo simple imprisonment for 1 month. The period of detention already undergone by the accused from 02.11.2020 to 10.12.2020 are set off u/s.428 Cr.P.C.

4. Further, the third respondent has declined to release the gold loan account of the petitioner on the instructions of the first and second respondents. On a query as to whether any other case is pending against the petitioner and whether the petitioner has paid the aforesaid penalty and whether the petitioner has undergone the punishment as was ordered by the aforesaid orders, dated 07.07.2023. No answer is forthcoming.



W.P.(MD) No.15836 of 2025

WEB COPY

5. Hence, the second respondent is directed to inform the third respondent as to whether the aforesaid fine amounts of Rs.1,500/- and Rs.3,000/-, respectively, have been paid by the petitioner. If the amount has been paid, the third respondent shall release the gold jewel subject to other recovery that are to be made by the third respondent.

6. This exercise shall be completed within a period of 45 days from the date of receipt of a copy of this order.

7. This Writ Petition is disposed of with the above observations. No costs.

Index : Yes / No

12.06.2025

Internet : Yes / No

apd

To

1. The Deputy Superintendent of Police,
Bodinayakanur Division,
Bodinayakanur,
Theni District.

2. The Inspector of Police,
Kurangani Police Station,
Bodinayakanur,
Theni District.

4/6



W.P.(MD) No.15836 of 2025

WEB COPY

3. The Branch Manager,
Union Bank of India,
Bodinayakanur Branch,
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WEB COPY



W.P.(MD) No.15836 of 2025

C.SARAVANAN, J.

apd

W.P.(MD) No.15836 of 2025

12.06.2025