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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10536 of 2025

Kamaladevi,
W/o.Palanikumar, ..Petitioner/ Accused No.4

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Thenkarai Police Station,
Theni District.
(Crime No.164 of 2025) .. Respondent/Complainant

For Petitioner : Mr.S.Balaji
Advocate.
For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.164 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody

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on 29.05.2025 for the offences punishable under Sections 8(c), 20(b) (ii)(A), 29(1) of NDPS Act and 77 of JJ Act in Crime No.164 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 11.04.2025, the respondent police have conducted a raid at Periyakulam to Theni main road, at that time, the first accused found in illegal possession of 60grams of ganja, the second accused found in illegal possession of 50 grams of ganja and the third accused found in illegal possession of 40 grams of ganja. The contraband were purchased from Accused No.5 with the help of this petitioner. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has not committed any offences as alleged by the prosecution. The petitioner is ready and willing to abide and conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 29.05.2025 nearly 25 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that during the surveillance duty, the respondent police found that the Accused Nos.1, 2 and 3 were found in illegal possession of 60 grams, 50grams and 40 grams of ganja respectively. The said ganja were purchased from A5 with the help of this petitioner. The entire contraband were seized by the respondent police. This

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petitioner is having two previous cases, all are similar in nature. Hence, he strongly objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that in this case, the entire contraband were seized, the petitioner/accused No.4 remanded into judicial custody on 29.05.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of Judicial Magistrate Court, Aundipatty, Theni District and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] The petitioner shall furnish her residential address and contact number to the Judicial Magistrate Court, Aundipatty, Theni District. If the petitioner changes her residential address, she shall report the same to the Judicial Magistrate Court, Aundipatty, Theni District;

[c] the petitioner shall appear and sign before the respondent police daily at

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10.30 a.m., until further orders.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

sd/-
24/06/2025

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24/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN

TO
1 THE JUDICIAL MAGISTRATE COURT,
AUNDIPATTY, THENI DISTRICT.

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2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3 CENTRAL PRISON FOR WOMEN,
MADURAI.

4 THE INSPECTOR OF POLICE,
THENKARAI POLICE STATION,
THENI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUT
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.10536 of 2025
Date :24/06/2025

NM/24.06.2025 5P/5C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023

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