



CRL OP(MD).No.13257 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/08/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.13257 of 2025

Sivaneshwari,
W/o.Muthu Irulan

: Petitioner/ A4

Vs

The State of Tamilnadu
rep.by the Inspector of Police,
Silaiman Police Station,
Madurai District.
(Crime No.87 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.M.Arun Prakash,
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.87 of 2025 on the file of the Respondent Police.



CRL OP(MD).No.13257 of 2025

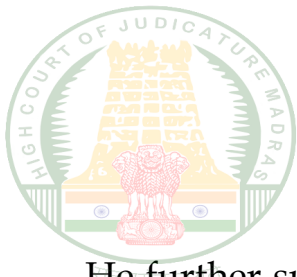
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ORDER: This Court made the following order :-

The petitioner/A4, who was arrested and remanded to judicial custody on 29.07.2025 for the offences punishable under Sections 8(c), 20(b)(ii)(B), 25 and 29(1) of NDPS Act 1985, in Crime No.87 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, the defacto complainant is the Sub-Inspector of Police. On 09.04.2025, after getting secret information that the accused persons are selling the Ganja nearby the burial ground, Sakkimangalam, the respondent police went and caught the A1 and A2. At that time, they found that they were in possession of 12 kg of Ganja. While enquiring the accused, it was informed that the said Ganja was purchased from the third accused. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person, she has not committed any offence as alleged by the prosecution. She has been falsely implicated in this case. He further submitted that there was no recovery from the petitioner. Only based on the confession of A1 and A3, the petitioner was arrayed as accused and the petitioner is not having any previous case.



CRL OP(MD).No.13257 of 2025

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He further submitted that the petitioner is ready and willing to abide any conditions that may be imposed by this Court. He further submitted that the co-accused/ A3 has already been released on bail by this Court in CrI.O.P(MD)No.8862 of 2025, dated 21.05.2025 and the other accused are also released on bail by the trial Court in CrI.MP.No.1259/2025 and CrI.M.P.No.1345/2025. The petitioner is in custody from 29.07.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) submitted that there are totally four accused in this case. The petitioner herein is arrayed as A4. Based on secret information, the respondent police went to the occurrence place and they have recovered 16 kgs of Ganja from A1 and A3 and the confession of A1, the petitioner herein has been added as accused. He further submitted that the petitioner is not having any previous case and the investigation is pending. Hence, he opposed to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also considering the fact that co-accused/ A1 to A3 have been released on bail and the entire contraband have already been recovered and considering the fact that the petitioner is not having any previous case for similar in nature and the occurrence



CRL OP(MD).No.13257 of 2025

had taken place on 09.04.2025, by this time, material part of the investigation might have been completed and the petitioner/A4 is in judicial custody from 29.07.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

7.Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of Principal EC and NDPS Court, Madurai 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 Principal EC and NDPS Court, Madurai. If the petitioner changes her residential address, he shall report the same to the Principal EC and NDPS Court, Madurai;



CRL OP(MD).No.13257 of 2025

WEB COPY

[c] the petitioner shall appear and sign before the respondent police daily twice at 10.30 a.m., and 05.30 pm, 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 herself 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/-
07/08/2025

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

das



CRL OP(MD).No.13257 of 2025

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TO

- 1 THE JUDGE,
PRINCIPAL EC AND NDPS COURT,
MADURAI.
- 2 THE SUPERINTENDENT OF PRISON,
SPECIAL PRISON FOR WOMEN, MADURAI.
- 3 THE INSPECTOR OF POLICE,
SILAIMAN POLICE STATION,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.13257 of 2025
Date :07/08/2025

AS/08.08.2025/6P/5C

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