



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.21507 of 2024

Amutha

... Petitioner/ Accused No. 2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Sedapatty Police Station,
Madurai District.
Crime No.137 of 2024

... Respondent/Complainant

For Petitioner : Mr.K.Sathishkumar

For Respondent : Mr.R.Meenakshi Sundaram

Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.137 of 2024 on the file of the respondent-police.



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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 05.12.2024 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant an order of bail.

2. The petitioner / accused No.2 was arrested and remanded to judicial custody on 25.06.2024 for the alleged offences punishable under Sections 8(c), 20(b)(ii)(C) and 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.137 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that based on secret information, on 25.06.2024, at about 07.00 a.m., the respondent-Police reached the spot, where they found two women, i.e., A1 and the petitioner / A2, standing along with gunny bag. On seeing the Police, they attempted to escape. However, the Police apprehended them. On search, the Police found that the accused persons were in illegal possession of 21 kgs of Ganja. Hence the case.

4. Mr.K.Sathishkumar, the learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and that she has been falsely implicated in this case. He however submits that the petitioner is ready to abide by any condition to be imposed by this Court. He further submits that



the petitioner has been in judicial custody since 25.06.2024. He therefore prays to
grant bail to the petitioner.

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5. Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent-police, submits that the contraband (21 kgs of Ganja) was seized from this petitioner and other accused person, which is a commercial quantity. He further submits that trial has commenced, and PW1 to PW3 were examined. The petitioner did not cross-examine the witnesses. Hence, the Trial Court proceeded with the case and posted the case on 01.03.2025. Even then, the petitioner did not engage any counsel. In view of the above, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. It is stated that the petitioner neither engaged any counsel nor cross-examined the witnesses before the Trial Court. Hence, this Court is of the opinion that if bail is granted to the petitioner, she may abscond and thereby delay the trial proceedings. Further, rigors stated in Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 would be applicable to the present case. To be noted, the above view is recorded only for the limited purpose of deciding the bail petition. The above view, in any way, would not cause prejudice to the rights of the petitioner to defend the case during the trial. In view of the facts and circumstances,



and since trial has already commenced and in half way, this Court is not inclined to
grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

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sd/-
03/03/2025

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/03/2025

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

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TO

1 THE INSPECTOR OF POLICE
SEDAPATTY POLICE STATION, MADURAI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.21507 of 2024
Date :03/03/2025

NBF/GSV/ SAR/ (28/03/2025) 4P/3C

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