



WEB COPY

CRL OP No. 9934 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9934 of 2026

Hemalatha
Wife of Bathrinarayanan,
No.9(2), Rudrappanayagan Street,
Thirukoilur,
Kallakurichi.

..Petitioner(s)

Vs

The State of Tamil Nadu, Rep. by
The Inspector of Police,
Thirukoilur Police Station,
Kallakurichi.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the Petitioner on Bail in the event of his arrest in connection with the case in Crime No.295 of 2025 on the file of the Respondent Police pending investigation and thus render justice.

For Petitioner(s): Mr.Adhithiya G J

For Respondent(s): MR.P.DHILEEPAN,
GOVT.ADVOCATE (CRL SIDE)

ORDER

The petitioner apprehends arrest for the alleged offence under Section 123 of BNSS r/w Section 24(1) of COTPA Act, 2023 in Crime No.295 of 2025 on the file of the respondent police seeks anticipatory bail.



2. The allegation against the petitioner is that she, along with her husband/A1 was running a petty shop, from which 3 packets of hans and 15 packets of cool lip were allegedly recovered. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that she is ready to abide by any condition that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner has no previous case and that no recovery has been effected from the petitioner. Hence, he opposed to grant anticipatory bail to the petitioner.

5. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

6. Considering the above factual position and the fact that the petitioner has no previous case and that there was no recovery from the petitioner, this Court is of the firm view that at this length of time, the custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner subject to certain conditions.



7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Special Court for EC & NDPS, Chennai** on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the



conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

21-04-2026

DRL

To

1.The Special Court for EC & NDPS,
Chennai.

2.The Inspector of Police,
Thirukoilur Police Station,
Kallakurichi.

3.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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