



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Twentieth day of December Two Thousand Thirteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice M.SATHYANARAYANAN

CRL OP(MD) No.22563 of 2013

ARPUTHARAJ

... PETITIONER/ ACCUSED NO.1

Vs

THE STATE REP.BY
THE SUB - INSPECTOR OF POLICE
THALAIMUTHUNAGAR POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO. 321/2013.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.MARIAPPAN Advocate

For Respondent : M/S.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

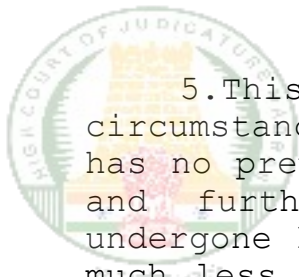
ORDER : The Court Made the following order :-

There are totally two accused and this petitioner is arrayed as A1 and he was arrested and remanded to judicial custody on 03.11.2013 by the respondent police for the alleged commission of offence under Sections 8(c) read with 20-(b)(ii) B of N.D.P.S. Act, in Crime No.321 of 2013 on the file of the respondent police, and seeks bail.

2.The case of the prosecution is that on on a reliable information, the respondent mounted a vigilance and they found the petitioner and others were moving suspicious manner and that they tried to search them and A2 ran away and on search of the petitioner, it revealed that he was carrying 1.150 kgs of kanja.

3.The learned counsel appearing for the petitioner would submit that the petitioner never ventured with the business and selling narcotics and psychiatric subsistence he has been falsely implicated.

4.The learned Government Advocate (criminal side) would draw the attention of the Court to the counter affidavit filed by the respondent and would submit that the petitioner has already involved in seven cases involved in I.P.C. offences and as also an history sheeter and strongly oppose the bail application.



5.This Court, taking into consideration of the above facts and circumstances of the case, especially the fact that the petitioner has no previous cases involving the offence under the N.D.P.S. Act and further considering the period of incarceration already undergone by the petitioner and that the seized contraband is very much less than the commercial quantity, is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is directed to be released on bail each of them on executing a personal bond each for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Additional District Judge/Principal Special Court for E.C. and N.D.P.S. Act Cases, Madurai and on further condition that the petitioner shall stay at Dharmapuri and appear before the Dharmapuri Town Police Station daily at 11.00 a.m for a period of two weeks and thereafter, as and when required.

sd/-

20/12/2013

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE ADDITIONAL DISTRICT JUDGE/PRINCIPAL SPECIAL COURT
FOR E.C. AND N.D.P.S. ACT CASES, MADURAI.
- 2 THE SUB - INSPECTOR OF POLICE, THALAIMUTHUNAGAR POLICE STATION,
THOOTHUKUDI DISTRICT.
- 3 THE OFFICER IN-CHARGE, DHARMAPURI TOWN POLICE STATION,
DHARMAPURI.
- 4 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
- 5 THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.MARIAPPAN Advocate SR.No.63786

ORDER

IN

CRL OP(MD) No.22563 of 2013

Date :20/12/2013

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