



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.23013 of 2013

1 KASIPANDI
2 DHARMAPANDI

... PETITIONERS/ACCUSED NOS.2&3

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
SEDAPATRTY POLICE STATION,
MADURAI DISTRICT.
CRIME NO. 203/2013

... RESPONDENT/ COMPLAINANT

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

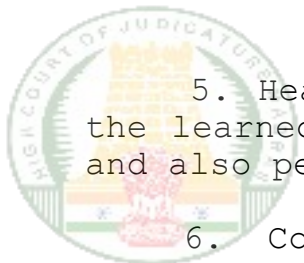
ORDER : The Court Made the following order :-

There are totally three accused in this case. The petitioners, who are arrayed as A2 and A3 in Crime No.203 of 2013, on the file of the respondent police, apprehending arrest at the hands of the respondent police for the alleged commission of offences punishable under Sections 8(c) r/w 20(b)(ii)(B) of NDPS Act, seek anticipatory bail.

2. The case of the prosecution is that when the respondent Police officials were in raid, based on a secret information, all the accused were found in possession of 2.500 Kgs., of Ganja.

3. Learned counsel appearing for the petitioners would submit that the petitioners are falsely implicated in this case and they are nothing to do with the alleged commission of offence and they are chained only for statistical purpose.

4. Learned Government Advocate (Crl. Side) would submit that A1 was arrested and the petitioners herein are involved in one another case, which is similar in nature to the present case, in Crime No.110 of 2013, registered by the same respondent Police. Further, the contraband is below the commercial quantity.



5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the State and also perused the entire materials available on record.

6. Considering the facts and circumstances of the case, especially the seized contraband is below the commercial quantity, this Court is inclined to enlarge the petitioners on anticipatory bail. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance before the learned Additional District Judge, Principal Special Court, EC & NDPS Act Cases, Madurai, and on each executing a personal bond 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 concerned and on further condition that the petitioners shall appear before the respondent police daily at 11.00 a.m., for a period of three weeks, thereafter as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners shall appear before the concerned learned Additional District Judge within a period of 15 days from the date on which the order copy made ready failing which, the petition for anticipatory bail would stand dismissed.

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
EC AND NDPS ACT CASES
MADURAI

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

3. THE INSPECTOR OF POLICE
SEDAPATRY POLICE STATION,
MADURAI DISTRICT.

+1. CC to M/S.S.MUNIYANDI Advocate SR.No.64125
RL/5 C- 27/12/2013

ORDER
IN
CRL OP(MD) No.23013 of 2013
Date : 20/12/2013