



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

Monday, the Twenty Second day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.10287 & 10607 of 2015

1 RAVI

2 MAHENDRAN

... PETITIONER(S) / ACCUSED 3 & 4
IN CRL OP(MD) No.10287 of 2015

RAMESH @ APPA THEVAR

... PETITIONER / ACCUSED 2
IN CRL OP(MD) No.10607 of 2015

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
PALANI TALUK POLICE STATION, DINDIGUL DIST.
IN CRIME NO. 290 OF 2015.

... RESPONDENT / COMPLAINANT
IN BOTH PETITIONS

For Petitioner : M/S.S.MUNIYANDI Advocate IN BOTH PETITIONS

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

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

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

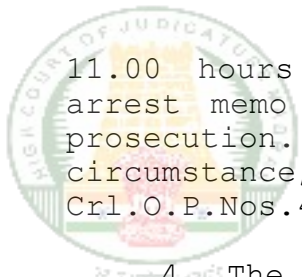
COMMON ORDER : The Court Made the following order :-

In Crl.O.P.No.10887 of 2015, the petitioners/A3 and A4, who were remanded to judicial custody by the respondent police on 02.05.2015, for the alleged offence under Sections 8(c) r/w 20(b)(ii)(C) and Section 27(A), 29 of NDPS Act in Crime No.290 of 2015 on the file of the respondent police, seek bail.

In Crl.O.P.No.10607 of 2015, the petitioner, who is arrayed as A2, apprehend arrest at the hands of the respondent police for the alleged offence under Sections 8(c) r/w 20(b)(ii)(C) and Section 27(A), 29 of NDPS Act in Crime No.290 of 2015 on the file of the respondent police and seeks anticipatory bail.

2.The case of the prosecution is that seven accused were found in possession of 70 kgs of ganja.

3.The learned counsel for the petitioners submitted that as per the prosecution, the accused 3 and 4 were arrested on 02.05.2015 at 10.00 a.m and on their confession and after their arrest, the case was registered on



11.00 hours on 02.05.2015. The learned counsel further submitted that arrest memo contains crime number, which creates serious doubt over the prosecution. The learned counsel further submitted that in the similar circumstance, this Court has granted bail to the accused in Crl.O.P.Nos.4860 and 6744 of 2015.

4. The learned Government Advocate submitted that the accused were found in possession of 70 kgs of ganja and some of the accused are still at large and the petitioners have no bad antecedents.

5. Considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners in Crl.O.P.No.10887 of 2015 on bail on the following conditions. Accordingly, they are directed to be released on bail on each of them executing a separate 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 Special Judge for EC and NDPS Act Cases, Madurai, and on further condition that the petitioners shall appear before the respondent police daily twice at 10.00 a.m and 5.00 p.m. until further orders.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner in Crl.O.P.No.10607 of 2015 with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Additional District Judge for Principal Special Court for NDPS Act Cases, Madurai, and on executing a 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily twice at 10.30 a.m. And 5.00 p.m until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
22/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE SPECIAL JUDGE FOR EC AND NDPS ACT CASES, MADURAI.
 - 2 THE ADDITIONAL DISTRICT JUDGE
FOR PRINCIPAL SPECIAL COURT FOR NDPS ACT CASES
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4 THE INSPECTOR OF POLICE
PALANI TALUK POLICE STATION, DINDIGUL DISTRICT.
 - 5 THE SUPERINTENDENT CENTRAL PRISON, MADURAI.
- +2. CC to M/S.S.MUNIYANDI Advocate SR.No.32499, 32498.
TS/23.06.2015/2P -8C

ORDER IN

CRL OP(MD) Nos.10287 & 10607 of 2015
Date :22/06/2015