



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

Monday, the Fifteenth day of June Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10705 of 2015

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ANDAVAR

... PETITIONER/ACCUSED No.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
PERIYAKULAM POLICE STATION,
THENI DIST.
(CR.NO.157/2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MAHENDRAPATHY Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/Accused No.1 who was arrested and remanded to judicial custody on 12.04.2015 for the alleged offences punishable under Section 8(c) r/w 20(b)(ii)(C) of Narcotics Drug and Psychotropic Substance Act in Crime No.157 of 2015 on the file of the respondent police, seeks bail.

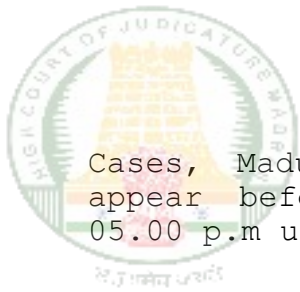
2.The case of the prosecution is that each accused were found in possession of 8 kgs ganja each and totally 26 kgs of ganja was seized.

3.The learned Government Advocate(Crl.side) appearing for the State submitted that there are totally three accused in this case and the petitioner was arrested on 12.04.2015 and the petitioner was in possession of 8 kgs of ganja and totally 26 kgs of ganja was seized by the respondent police and the arrest memo contains crime number and the petitioner has no bad antecedents.

4. The learned counsel appearing for the petitioner submitted that according to the prosecution, the petitioner was arrested on 12.04.2015 at 5.00 a.m and the case has been registered at 11.00 a.m on 12.04.2014 and however, the Arrest Memo contains the Crime number, which creates serious doubt over the prosecution case. He would further submit that co-accused in this case were granted bail by this Court in Crl.O.P.No.9935 of 2015 on 05.06.2015

5. Considering the facts and circumstances of the case. I am inclined to grant bail to the petitioner, with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail 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 Additional District Judge of Principal Special Court for EC & NDPS Act



Cases, Madurai, and on further condition that the petitioner shall appear before the respondent police daily twice at 10.00 a.m and 05.00 p.m until further orders.

sd/-
15/06/2015

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

TO

- 1 THE ADDITIONAL DISTRICT JUDGE OF PRINCIPAL SPECIAL COURT FOR EC & NDPS ACT CASES, MADURAI.
- 2 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 3 THE INSPECTOR OF POLICE PERIYAKULAM POLICE STATION, THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.MAHENDRAPATHY Advocate SR.No.30843

ORDER
IN
CRL OP(MD) No.10705 of 2015
Date :15/06/2015

PA/16.06.2015/2P/6C