



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

WEB COPY

CRL OP(MD) No.10877 of 2015

AMALRAJ

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

DINDIGUL TALUK POLICE STATION,

DINDIGUL DIST.

IN CRIME NO. 538 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.J.ASSOCIATES Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate(crl.side)

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

ORDER : The Court Made the following order :-

The petitioner/A2, who was remanded to the judicial custody by the respondent police on 31.05.2015 for the alleged offence under Section 8(C) r/w 20(b)(ii)(C) of NDPS Act in Crime No.538 of 2015 on the file of the respondent police, seeks bail.

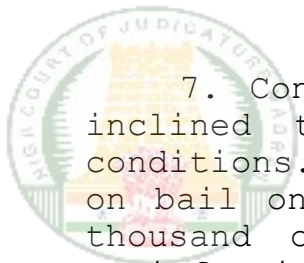
2. The case of the prosecution is that on 31.05.2015 at 06.00 a.m when the respondent was conducting vehicle check-up, the first accused was carrying 20 kgs of ganja in one two wheeler and the second accused was transporting 20 kgs in another two wheeler.

3. The learned counsel for the petitioner submitted that this is not the case of commercial quantity and even after 40 days, the respondent has not produced the contraband before the Special Court. It is further submitted that the petitioner is innocent and he has not committed any offence.

4.Per contra, the learned Government Advocate (Crl.side) submitted that it is the case of joint possession of 40 kgs of ganja and the petitioner is having one previous case of similar nature.

5.According to the prosecution, the accused 1 and 2 were travelling in two separate vehicles and each were found in possession of 20 kgs of ganja in two different bags.

6. The respondent police has not filed counter disputing the contention of the petitioner that they have not produced the contraband before the court till date.



7. Considering the facts and circumstances of the case, I am inclined to enlarge the petitioner on bail on the following conditions. Accordingly, the petitioner is directed 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 Special District and Sessions Judge for E.C. Act and 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 6.00 p.m. until further orders.

sd/-
22/06/2015

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

TO

1. THE SPECIAL DISTRICT AND SESSIONS JUDGE,
FOR EC ACT AND NDPS ACT CASES, MADURAI.
2. THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
3. THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.
4. THE INSPECTOR OF POLICE
DINDIGUL TALUK POLICE STATION, DINDIGUL DIST.

+1. CC to M/S.K.J.ASSOCIATES Advocate SR.No.32582

ORDER
IN
CRL OP(MD) No.10877 of 2015
Date : 22/06/2015

rg.22.06.2015

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