



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Monday, the Sixth day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.11281 of 2015

ANANDAN

... PETITIONER(S) / ACCUSED 1

Vs

STATE REP BY:: THE INSPECTOR OF POLICE,
NIB CID, DINDIGUL, DINDIGUL DIST,
(CRIME NO. 76 OF 2015)

... RESPONDENT(S) / COMPLAINANT

For Petitioner : M/S.G.THALAIMUTHARASU Advocate

For Respondent : M/s.S.PRABHA, Government Advocate (Crl.Side)

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

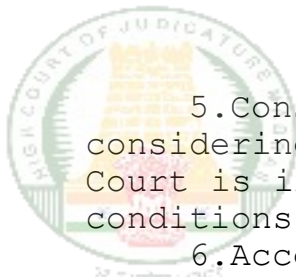
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A1 in Crime No.76 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 02.06.2015 for the alleged offences punishable under Section 8(C) r/w 20(b)(ii)(C) and Sections 25 of the NDPS Act, and hence, seeks bail.

2.The case of the prosecution is that on 02.06.2015 when the police party was conducting vehicle check on the basis of secret information, the accused came in a 'Ford Icon' car bearing Registration No.TN58E 6462 and the police party found three gunny bags, containing 56 kgs of ganja in the car.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that on the date of arrest, the accused were produced before the Judicial Magistrate, Nilakottai along with contraband and thereafter, it was returned to the respondent and the same was produced before the Special Court only on 19.06.2015. He further submitted that in a similar circumstances, this Court granted bail to the accused in Crl.O.P.(MD).No.6532 of 2015 dated 29.04.2014.

4.Per contra, the learned Government Advocate (Crl.side) vehemently opposed the bail application stating that it is a case of commercial quantity and the respondent has followed the procedure contained in NDPS Act and as per Section 35 of NDPS Act, the accused is not entitled for bail. She further submitted that the petitioner has no previous case.



5.Considering the facts and circumstances of the case, and also considering the fact that the petitioner has no bad antecedent, this Court is inclined to enlarge the petitioner on bail on the following conditions.

6.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 Court for E.C and N.D.P.S.Act Cases, Madurai, Madurai District and on further condition that the petitioner shall report before the respondent police daily twice ie., at 10.00 a.m., and 05.00 p.m., until further orders.

sd/-
06/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE SPECIAL COURT JUDGE
SPECIAL COURT FOR EC AND NDPS ACT CASES,
MADURAI MADURAI DISTRICT

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

3 THE SUPERINTENDENT,
CENTRAL PRISON MADURAI

4 THE INSPECTOR OF POLICE,
NIB CID, DINDIGUL, DINDIGUL DIST,

1. CC to M/S.G.THALAIMUTHARASU Advocate SR.No.36398

DM 6 7 15

ORDER
IN
CRL OP(MD) No.11281 of 2015
Date :06/07/2015

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