



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

Wednesday, the Twenty Second day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP (MD) No.13203 of 2015

JEYAKUMAR

... PETITIONER /SOLE ACCUSED

Vs

STATE REP BY:: THE INSPECTOR OF POLICE
NIB CID, MADURAI DIST, IN CR.NO. 56/2015.

... RESPONDENT(S) / COMPLAINANT

For Petitioner : M/S. S. MAHENDRAPATHY 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, who is the sole accused in Crime No.56 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 25.03.2015 for the alleged commission of offence under Section 8(c) r/w 20(b)(ii)(c) and Section 25 of NDPS Act and hence seeks bail.

2. The case of the prosecution is that on 25.03.2015 at 9.00 a.m., when the respondent was on duty, on secret information, the respondent enquired the accused and found him in possession of 21 Kgs of ganja.

3. The learned counsel for the petitioner submitted that the case was registered on 25.03.2015 at 12.30 hours, and the accused was arrested on 25.03.2015 at 11.30 hours, however, the arrest memo contains the crime number, which shows that the entire prosecution case is false. It is further submitted that in similar circumstances, this Court granted bail to the accused in Crl.O.P(MD)No.10704 of 2015.

4. The learned Government Advocate(Crl. Side) filed a counter affidavit opposing the bail application and also submitted that this is a case of commercial quantity and as per Section 37 of NDPS Act, the accused is not entitled for bail. It is further



contended that the respondent has followed the provisions of law and also laid a charge sheet in this case. He would further submit that the petitioner has no bad antecedents.

5. Considering the facts and circumstances of the case, this Court is 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 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 at 10.00 a.m until further orders.

sd/-

22/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE ADDITIONAL DISTRICT
JUDGE OF PRINCIPAL SPECIAL COURT FOR EC
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
NIB CID, MADURAI DIST,

+1. CC to M/S. S. MAHENDRAPATHY Advocate SR.No.40094

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ORDER

IN

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Date :22/07/2015