



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

Tuesday, the Eighteenth day of August Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.14188 of 2015

WEB COPY

1 DHARMENTHIRAN
2 DEEPAK

... PETITIONERS / ACCUSED 1 & 2

Vs

THE SUB INSPECTOR OF POLICE
NIB CID, RAMANATHAPURAM POLICE STATION,
RAMANATHPAURAM DISTRICT.
CR.NO.44 OF 2015

... RESPONDENT / COMPLAINANT

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

For Respondent : Mrs. S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The Petitioners, who are arrayed as accused Nos.1 and 2 in Crime No.44 of 2015 on the file of the respondent Police, was arrested on 04.06.2015 for the alleged offences punishable under Sections 8(c)r/w.20 (b)(ii)(c) and 25 of NDPS Act and hence, seek bail.

2. According to the Prosecution on 04.06.2015, on secret information, they intercepted the vehicle bearing Registration No.TN.85 A 6081 and they found 6 gunny bags containing totally 120 kgs.of ganja.

3. The learned counsel for the petitioners submitted that as per the prosecution, they have recovered the contraband on 04.06.2015, however, admittedly they produced the same before the Special Court only on 23.06.2013 with a delay of 19 days and the learned counsel for the petitioner submitted that on this ground, in the earlier case, bail was granted in Crl.O.P.(MD) No.18504 of 2014.

4. The learned Government Advocate (Crl.side) filed a detailed counter affidavit of the respondent and submitted that the contraband was produced on the same day before the Judicial Magistrate, Kamuthi and as per the direction of the learned Magistrate, it was produced before the Special Court and therefore, there is no delay on the part of the respondent for Producing the contraband and under Section 37 of the NDPS Act, the petitioners are not entitled for anticipatory bail.

5. considering the submission of the learned Government Advocate (Crl.side) and the counter filed by the respondent, this Court is not inclined to grant bail. Hence, this petition is dismissed.

sd/-
18/08/2015



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

TO

1. THE JUDICIAL MAGISTRATE, KAMUTHI
2. THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM
3. THE SUB INSPECTOR OF POLICE NIB CID, RAMANATHAPURAM POLICE STATION,
RAMANATHPAURAM DISTRICT.
4. THE OFFICE INCHARGE, DISTRICT PRISON, RAMANATHAPURAM.
5. THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.14188 of 2015

Date :18/08/2015

2P/6C

AM/AN.MP/LIB/21.08.2015