



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

Thursday, the Sixth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.14288 of 2015

RAJESH

... PETITIONER/ ACCUSED NO.6

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE,
KEELAKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.

CR. NO.136 OF 2014

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.M.KARUNANITHI Advocate

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

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

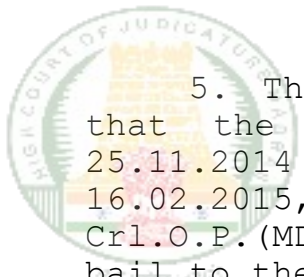
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A6, in Crime No.136 of 2014 on the file of the respondent police, was arrested on 22.06.2015 for the alleged offence under Section 8(C) r/w 20(b) (ii) (C) of NDPS Act, 1985 and Sections 353 and 307 of IPC and hence, seeks bail.

2. According to the prosecution, on specific information on 25.11.2014, the Inspector of Police 'Q' Branch, Ramanathapuram was conducted vehicle checkup, at 2.30 hours and intercepted the car bearing Registration No.TN 02 W 4343 and found the accused was transporting 250 kgs of Ganja and the same was seized on the same day.

3. The learned counsel for the petitioner submitted that as per the FIR only four accused were involved in the commission of offence and the two other accused have been implicated on the confession of the fifth accused, that the accused no 1 to 4 were caught red handed and they have not implicated A5 and A6, and even as per the confession of A5, the petitioner/A6 have not stopped the vehicle and attempted to murder the Inspector of Police.

4. The learned Government Advocate (Crl. Side) on instructions, would submit that the petitioner has no bad antecedents and the petitioner was not implicated by the accused A1 to A4 and only on the confession of A5, the petitioner has been made as an accused in this case and it is further submitted that all other accused were granted bail by the Sessions Court.



5. The learned counsel for the petitioner further contended that the contraband was seized by the respondent police on 25.11.2014, however it was produced before the court only on 16.02.2015, that after lapse of eight months and this court in Crl.O.P.(MD).No.20925 of 2014 has considered this aspect and granted bail to the accused in that case.

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6. Considering the submissions and contentions made by both side, and also considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner, with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on executing a personal 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 and Sessions Judge/Special Court for EC and NDPS Cases, Pudukottai and on further condition that the petitioner shall appear before the concerned court daily twice at 10.00 a.m and 06.00 p.m until further orders.

sd/-
06/08/2015

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

TO

1.THE ADDITIONAL DISTRICT AND SESSIONS JUDGE/
SPECIAL COURT FOR EC AND NDPAS CASES, PUDUKOTTAI.

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

3.THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.

4.THE INSPECTOR OF POLICE,
KEELAKARAI POLICE STATION, RAMANATHAPURAM DISTRICT.

+1. CC to M/S.M.KARUNANITHI Advocate SR.No.44341

ORDER
IN
CRL OP(MD) No.14288 of 2015
Date :06/08/2015

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