



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.14687 of 2015

1 LAKSHMI
2 SIVAMALAR
3 POOVALAI

... PETITIONERS / ACCUSED NO.1 TO 3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
NIB CID, MADURAI,
MADURAI DISTRICT,
CRIME NO.121/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MUNIYANDI Advocate

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

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

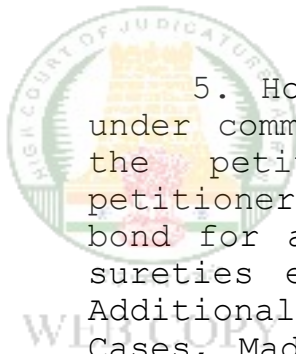
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 to 3 in Crime No.121 of 2015 on the file of the respondent police, were arrested on 09.07.2015 for the alleged offence punishable under Sections 8(c) r/w. 20 (b)(ii)(C), 27(A) and 29(1) of NDPS Act and hence, seek bail.

2. According to the prosecution, all the three accused were jointly possession of 34 kgs. of ganja on 08.07.2015.

3. The learned counsel for the petitioners submitted that this is not a case of commercial quantity and as per the prosecution, the accused were arrested at 20 hours and on 08.07.2015 and thereafter, the case was registered by the respondent at 20.45 hours on 08.07.2015, the arrest memo contains the Crime number which creates a serious doubt over the case of the prosecution. It is further submitted that in similar circumstances, this Court granted bail to the accused.

4. The learned Government Advocate (Crl.side) filed a detailed counter opposing the bail petition and also contended that the accused 1 and 2 have involved in three previous cases and the third accused has involved in one previous case and therefore, they are not entitled for anticipatory bail.



5. However, considering the fact that the case does not come under commercial quantity, this Court is inclined to grant bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail on their 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 for Principal Special Court for NDPS Act Cases, Madurai and on further condition that the petitioners shall report before the respondent police daily at 10.00 a.m. until further orders.

sd/-

18/08/2015

/ TRUE COPY /

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

TO

1.THE ADDITIONAL DISTRICT JUDGE

FOR PRINCIPAL SPECIAL COURT FOR NDPS ACT CASES, MADURAI.

2.THE ADDL.PUBLIC PROSECUTOR

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

3.THE OFFICER INCHARGE,

SUB JAIL, NILAKOTTAI.

4.THE SUPERINTENDENT CENTRAL PRISON, MADURAI.

5.THE INSPECTOR OF POLICE,

NIBCID, MADURAI, MADURAI DISTRICT.

+1. CC to M/S.S.MUNIYANDI Advocate SR.No.47342

ORDER

IN

CRL OP(MD) No.14687 of 2015

Date :18/08/2015

rg.18.08.2015

2p.7c.