



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

Friday, the Seventh day of August Two Thousand Fifteen

PRESENT

THE HON'BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.15362 of 2015

SEKAR

... PETITIONER / ACCUSED NO.3

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
CUMBUM NORTH POLICE STATION,
THENI DISTRICT.
(CR.NO.365/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MAHENDRAPATHY Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : THE COURT MADE THE FOLLOWING ORDER :-

The petitioner who is arrayed as A3, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 8(c) r/w 20(b)(ii)(C) of NDPS Act, in Crime No.365 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

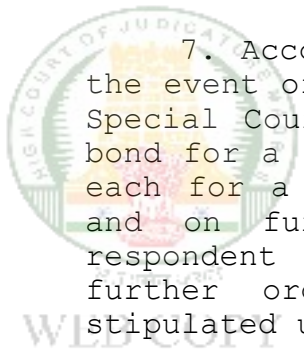
2. The case of the prosecution is that on 03.08.2015, the petitioner and two others were found in possession of 2kgs of ganja and the same was seized and A1 and A2 were arrested.

3. Learned Counsel appearing for the petitioner submits that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He further submits that due to the statistical purpose, the petitioner has been falsely implicated in this case.

4. The learned Government Advocate (Criminal side) appearing for the respondent submitted that A1 and A2 were already arrested and the investigation is going on.

5. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondent.

6. Considering the submissions made by the learned Counsel and considering the fact that the co-accused were already arrested, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions.



7. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Principal Special Court for E.C. and NDPS Act, cases, Madurai, and 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 Court concerned and on further condition that petitioner shall appear before the respondent police daily twice i.e. At 10.00a.m and 05.00 p.m until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

8. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
07/08/2015

/ TRUE COPY /

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

TO

1. THE PRINCIPAL SPECIAL COURT
FOR E.C. AND NDPS ACT, CASES, MADURAI.
 2. THE INSPECTOR OF POLICE,
CUMBUM NORTH POLICE STATION,
THENI DISTRICT.
 3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.MAHENDRAPATHY Advocate SR.No.44944

ORDER
IN
CRL OP(MD) No.15362 of 2015
Date :07/08/2015

NS/AMF/SAR-II/12.08.2015 : 2P/5C