



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

Friday, the Twenty Eighth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.16479 of 2015

KATHIRAVAN

... PETITIONER/ACCUSED
RANK NOT KNOWN

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE
ERWADI DHARGAA POLICE STATION,
RAMNAD DISTRICT.
(IN CR.NO. 122/2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S K.PRABAKARAN Advocate
For Respondent : MRS.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 an accused apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 8(c) r/w 20(b)(II)(C), 23(C), 25, 29 of NDPS Act 1985, in Crime No.122 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 14.06.2015, on getting secret information that the banned NDPS substances are smuggled to Srilanka, the Special Sub Inspector of Police along with two Head constables went to east Mangaleshwar Nagar seashore around 03.30 hours and on seeing the police party, the smugglers escaped in a country boat and the police intercepted a mini lorry bearing Registration No.02-AJ-1386 and recovered 2 kgs of Ganja and on the arrest of A4, another 2 kgs of Ganja was recovered.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that all the accused have been implicated in this case based on the confession of A4 Nagarajan and even according to the confession of A4, 2 kgs of Ganja was recovered only from him. It is further submitted that the accused persons similarly that of the petitioner were enlarged on bail by this court in Crl.O.P(MD)Nos.14620 and 13836 of 2015.

4.Heard the learned Government Advocate (Criminal side)
appearing for the respondent.



5. Considering the above facts and circumstances of the case and also considering the fact that the co-accused were enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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

7. 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/-
28/08/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE SPECIAL JUDGE
FOR EC AND NDPS ACT CASES,
PUDUKKOTTAI.

2 -DO-THRO' THE PRINCIPAL DISTRICT JUDGE,
PUDUKKOTTAI.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE
ERWADI DHARGAA POLICE STATION,
RAMNAD DISTRICT.

+1. CC to M/S K.PRABAKARAN Advocate SR.No.50011

Akm/01.09.2015 /2p-6c/

ORDER
IN
CRL OP(MD) No.16479 of 2015
Date :28/08/2015