



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

Monday, the Second day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.1664 of 2015

1 POONGOTHAI

2 SIVA

... PETITIONERS/ACCUSED 1 & 2

Vs

STATE REP BY THE INSPECTOR OF POLICE
CUMBAM NORTH POLICE STATION, THENI DIST,
CR.NO.358/2014 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.BABU JEGANATH Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 8(c) r/w 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, in Crime No.358 of 2014 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 18.10.2014, the police intercepted the accused and recovered 10 kilograms of kanga and A-3 has been arrested in this case. It is stated that investigation has been completed and charge sheet has been filed on 08.01.2015.

3. Considering the above, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Special District Judge for NDPS Cases, Madurai on condition that the petitioners shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

<https://hcservices.ecourts.gov.in/hcservices/>

[a] the petitioners shall report before the respondent police twice a day at 10:30 in the morning and 06:30 in the evening for a



period of four weeks and thereafter as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioners are complying with the order or not.

sd/-

02/02/2015

/ TRUE COPY /

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

TO

- 1 THE SPECIAL DISTRICT JUDGE FOR NDPS CASES, MADURAI
- 2 THE INSPECTOR OF POLICE, CUMBAM NORTH POLICE STATION, THENI DIST
- 3 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.BABU JEGANATH Advocate SR.No.4594

ORDER

IN

CRL OP(MD) No.1664 of 2015

Date : 02/02/2015

AA/05.02.2015/2p- 5c/