



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

Monday, the Twenty First day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD)No.17057 & 17302 of 2015

1 RAMAN

2 PRIYA

..PETITIONERS/ACCUSED 1 & 4
IN CRL.OP(MD)NO.17057/2015

1 PANDI

2 PANDIYAMMAL

..PETITIONERS/ACCUSED 2 & 3
IN CRL.OP(MD)NO.17302/2015

Vs

STATE REP.BY THE INSPECTOR OF POLICE
NIBCID POLICE STATION, MADURAI,
MADURAI DISTRICT.
IN CRIME NO.139 OF 2014 RESPECTIVELY

..RESPONDENT/COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner : M/S M.PITCHAIMUTHU Advocate in both the petitions

For Respondent : M/s.S.PRABHA, Government Advocate (Crl.Side)
in both the petitions

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

ORDER : The Court Made the following order :-

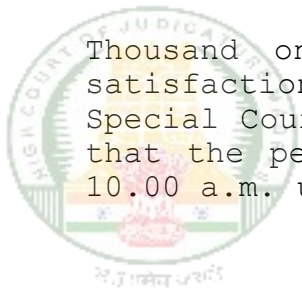
The petitioners, who are arrayed as accused Nos.1 to 4, in Crime No.139 of 2015 on the file of the respondent police, were arrested on 07.08.2015 for the alleged offences punishable under Section 8(c) r/w. 20 (b) (ii) (c) and 29(1) of NDPS Act and hence, seek bail.

2. The case of the prosecution is that on 07.08.2015, when the respondent on specific information, stopped the accused and found A1 was possessing 10 kgs. of ganja in a white plastic bag, A2 and A3 were holding while plastic bag with 10 kgs. of ganja and the fourth accused was found in possession of 10 kgs. of ganja.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the respondent has recovered the contraband separately from the accused which is below the commercial quantity.

4. The learned Government Advocate (Crl.side) filed a counter and submitted that the petitioners are involved in transporting 30 kgs. of ganja worth about Rs.3 lakhs in the open market and thereafter, they are not entitled for bail. It is further submitted that the petitioners have no bad antecedent.

5. However, considering the facts and circumstances of the case, the 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) each 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 Act Cases, Madurai and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m. until further orders.

sd/-
21/09/2015

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)

TO

- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
SPECIAL COURT FOR EC AND NDPS ACT CASES, MADURAI.
- 2 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 4 THE OFFICER IN CHARGE, SUB JAIL, NILAKOTTAI, DINDIGUL DISTRICT.
- 5 THE INSPECTOR OF POLICE, NIBCID POLICE STATION, MADURAI,
MADURAI DISTRICT.

+2. CC to M/S M.PITCHAIMUTHU Advocate SR.No.55631 & 55637

ORDER IN
CRL OP (MD) Nos.17057 & 17302 of 2015
Date :21/09/2015

PBK/AAL-MPA/SAR-II 21/09/2015 ::2P-8C::