



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

Monday, the Seventh day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17060 of 2015

WEB COPY

SASIKUMAR

... PETITIONER/ACCUSED NO.2

Vs.

THE STATE REP BY
THE INSPECTOR OF POLICE
"Q" BRANCH CID,
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
CR. NO 1 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.JEGADEESWARAN Advocate

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

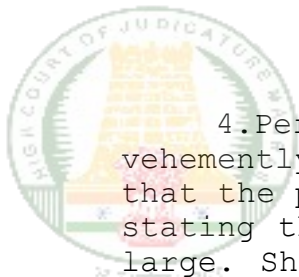
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A2 in Crime No.1 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 20.07.2015 for the alleged offences punishable under Sections 10(a)(i) & (iv) and 38(1) Unlawful Activities (Prevention) Act, 1967, Section 3(a) r/w. 12(1)(a) of Passport Act, 1967, Sections 3 and 14(c) Foreigners Act, 1946, Section 6 Poisons Act, 1919 and Section 419 of I.P.C., and hence, seeks bail.

2.The case of the prosecution is that when the respondent police was conducting vehicle checkup on 20.07.2015, the accused was found in possession of 75 cyanide capsules, 600 grms Chemicals, which is being used for making cyanide and 4 Global Poisoning System GPS instruments and the enquiry reveals that they are the members of the banned Militant Organisation the Liberation Tigers of Tamil Ealam(LTTE).

3.The learned counsel for the petitioner submitted that the petitioner's Father after returned to India from Srilanka in the year 1980 and the petitioner was born in India in the year 1984 and his grand parents are owning land in India. The learned counsel further submitted that the petitioner is a driver by profession and he was working in a travels and the alleged cyanide capsules and the chemicals were recovered from the passengers of the car and the petitioner had no knowledge about the transportation. He further submitted that the petitioner was taken into police custody from 24.07.2015 and 27.07.2015 and he was fully interrogated by the respondent police and now, he is ready for co-operation for further investigation.



4.Per contra, the learned Government Advocate (Crl.side) vehemently opposed the petition by filing a detailed counter stating that the petitioner has given a voluntary statement to the respondent stating that he is a member of LTTEE and other accused are still at large. She further submitted that the petitioner was well aware the first accused is a LTTE cadre and he was transporting the cyanide capsules and chemicals to Srilanka and therefore, the petitioner is not entitled to get bail.

5.However, considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail on the following conditions.

6.Accordingly, the petitioner is directed to be released on bail 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 Judicial Magistrate No.II, Ramanathapuram and on further condition that the petitioner shall report before the respondent police daily twice ie., at 10.00 a.m., and 05.00 p.m., until further orders.

sd/-
07/09/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE NO.II
RAMANATHAPURAM.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM.

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

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

5 THE INSPECTOR OF POLICE,
"Q" BRANCH CID, RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT

+1. CC to M/S R.JEGADEESWARAN Advocate SR.No.52210

Akm/07.09.2015 /2p-7c/

ORDER
IN
CRL OP (MD) No.17060 of 2015
Date :07/09/2015