



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Fourteenth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17138 of 2015

ALAGU THEVAN

..PETITIONER/ACCUSED No.2

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
CUMBAM NORTH POLICE STATION,
CUMBAM, THENI DISTRICT.
(IN CR.NO. 291/2014)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S K.PRABAKARAN Advocate

For Respondent : M/s.S.PRABHA, Government 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.291 of 2014 on the file of the respondent police, was arrested and remanded to judicial custody on 05.04.2015 for the alleged offences punishable under Section 8 (c) r/w.20(b)(ii)(c) of NDPS Act, and hence, seeks bail.

2.The case of the prosecution is that the petitioner was found in possession of 21 kgs of ganja.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. It is further submitted that the co-accused were already released on bail.

4.The learned Government Advocate (Crl.side) vehemently opposed this petition contending that the petitioner was already convicted for similar offence and therefore, he is not entitled for bail.

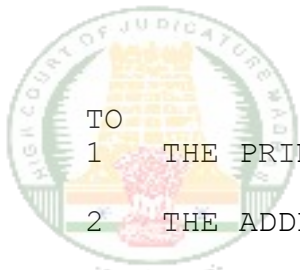
5.However, considering the fact that the similarly placed accused was already released on bail, this Court is also inclined to enlarge the petitioner on bail on the following conditions.

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 Principle Special Court for NDPS Act and EC Act Cases, Madurai 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/-

14/09/2015

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TO

1 THE PRINCIPAL SPECIAL COURT FOR NDPS ACT AND EC ACT CASES, MADURAI.

2 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

3 THE INSPECTOR OF POLICE, CUMBAM NORTH POLICE STATION, CUMBAM,
THENI DISTRICT.

4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

+1. CC to M/S K.PRABAKARAN Advocate SR.No.54121

ORDER IN

CRL OP(MD) No.17138 of 2015

Date :14/09/2015

PBK/GSV-PM/SAR-I 14/09/2015 ::2P-6C::