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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Tuesday, the Twenty First day of April Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.1790 & 7208 of 2015

MAYAKKAL .. PETITIONER/ACCUSED NO.1 IN CRL OP(MD)NO.1790/2015

KARTHICK BAL .. PETITIONER/ACCUSED NO.2 IN CRL OP(MD)NO.7208/2015

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
NIBCID, DINDIGUL, DINDIGUL DISTRICT.
CR. NO. 157/2014. ... RESPONDENT/COMPLAINANT IN BOTH PETITIONS

For Petitioner : M/S.S.MUNIYANDI Advocate in both petitions
For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side) in both petitions

PETITIONS FOR BAIL Under Sec. 439 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioners are A1 and A2 and they were arrested on 21.12.2014 and 27.03.2015 respectively and remanded to judicial custody for the alleged offence punishable under sections 8(c) r/w 20(b)(ii)(C) and section 25 of NDPS Act, 1985, in Crime No.157 of 2014 on the file of the respondent police and hence, seek bail.

2.The case of the prosecution is that on 21.12.2014 when the respondent police conducting vehicle check up, the accused were found in possession of 22 kgs of Ganja.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that A1 was arrested on 21.12.2014 at 14.00 hours and the case was registered at 16.30 hours on 21.12.2014, but the confession of A1 contains crime number and this creates suspicion over the case of the prosecution and in support of his contention, he has produced the order passed in Crl.O.P(MD)No.6289 of 2015 and in similar circumstances, this court has granted bail to the accused persons.

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4.Per contra, the learned Government Advocate (Criminal side) submitted that A1 is having three previous cases and A2 was arrested on the basis of PT warrant on 27.03.2015 and he is having 2 previous cases.

5.However, considering the order passed by this court in similar circumstances in Crl.O.P(MD)No.6289 of 2015, dated 15.04.2015 and the facts and circumstances of the present case, this court is inclined to grant bail of the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail, on each of them executing a personal 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 Additional District Judge for Principal Special Court for EC and NDPS Act Cases, Madurai and on further condition that the petitioners shall report before the respondent police daily at 10.00 a.m. and 05.00 p.m. until further orders.

sd/-
21/04/2015

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

TO

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

2 THE INSPECTOR OF POLICE
NIBCID, DINDIGUL, DINDIGUL DISTRICT.

3 THE OFFICER INCHARGE
SUB JAIL,NILAKOTTAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON,MADURAI.

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

+2 CCs to M/S.S.MUNIYANDI Advocate SR.Nos.20333 & 20334

ORDER IN
CRL OP(MD) Nos.1790 & 7208 of 2015
Date :21/04/2015

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