



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Friday, the Sixth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2120 of 2015

THANGAPANDI

..PETITIONER/ACCUSED NO.5

Vs.

STATE REP.BY THE SUB INSPECTOR OF POLICE
NAGAMALAI PUDUKKOTTAI POLICE STATION,
MADURAI DISTRICT.
CRIME NO.25/2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.S. MUNIYANDI Advocate (No Appearance)

For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.25 of 2015, on the file of the respondent police for offences under Sections 8(c) r/w 20(b)(ii) (B) of NDPS Act, the petitioner is now before this Court seeking Anticipatory Bail.

2. It is the case of the prosecution that A1 and A2 were found in possession of 1.100 kgs of Ganja on 12.01.2015 and they were arrested and remanded to judicial custody. Based on the confession statement, this petitioner has been implicated.

3. There is no representation on behalf of the petitioner.

4. It is represented by the learned Government Advocate (Crl. Side) that there is no previous case as against the petitioner. Under such circumstances, this Court is inclined to grant anticipatory bail to the petitioner, but with conditions.

5. Accordingly, the petitioner is ordered to be released on bail, in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the learned Additional District Court for Principal Special Court for NDPS Act Cases, Madurai, on executing a separate 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,

(a) the petitioner shall report before the respondent police, every day, at 10.30 a.m. and 6.30 p.m. for a period of four weeks and thereafter as and when required for interrogation.

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

[c] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed on him. The petitioner is 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].



[e] The Inspector of Police concerned is directed to send compliance report to the office of the learned Government Advocate (Crl. Side) as to whether the petitioner is complying with the condition or not.

sd/-

06/02/2015

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)

TO

- 1 THE ADDITIONAL DISTRICT JUDGE FOR PRINCIPAL SPECIAL JUDGE
FOR NDPS ACT CASES, MADURAI.
- 2 -do-thro' THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, MADURAI.
- 3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE SUB INSPECTOR OF POLICE, NAGAMALAI PUDUKKOTTAI POLICE STATION,
MADURAI DISTRICT.

ORDER IN

CRL OP(MD) No.2120 of 2015

Date :06/02/2015

PBK 11/02/2015 ::2P-5C: