



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

Monday, the Ninth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3644 of 2015

ESWARAN

..PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY THE SUB INSPECTOR OF POLICE
CUMBAN SOUTH POLICE STATION,
THENI DISTRICT.
CR.NO.46/2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MUNIYANDI Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 04.02.2015, for the offence punishable under Section 8(C) r/w 20(b)(ii) (B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.46 of 2015, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner herein was arrested for possessing ten kilograms of kanja and the said contraband has been seized and submitted to the Court concerned. It is represented that there is no previous case against the petitioner and he is in incarceration from 04.02.2015.

3. Taking into consideration of the above, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his 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 Additional District Judge of Principal Special Court for EC & NDPS Act Cases, Madurai and on further condition that:

[a] the petitioner shall report before the respondent police daily at 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 and the petitioner 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]**.



The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioner is complying with the order or not.

sd/-

09/03/2015

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)

TO

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

2 -DO-THRO' THE PRINCIPAL SESSIONS JUDGE, MADURAI.

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

4 THE SUB INSPECTOR OF POLICE, CUMBAN SOUTH POLICE STATION,
THENI DISTRICT.

5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

+1. CC to M/S.S. MUNIYANDI Advocate SR.No.1115

ORDER IN

CRL OP(MD) No.3644 of 2015

Date :09/03/2015

PBK 10/03/2015 ::2P-7C: