



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Twelfth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.419 of 2015

RAMESH

..PETITIONER/ACCUSED No.6

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.
CR. NO. 202/2014.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.BALAJI Advocate

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 :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 8(c) r/w 20(b) (ii)(B) of NDPS Act in Crime No.202 of 2014 on the file of the respondent police, seeks anticipatory bail.

2. The learned Counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case.

3. Heard the learned Government Advocate(Crl.Side) who would submit that on the basis of the confession given by the co-accused, this petitioner has been implicated and there is no previous case as against him.

4. It is seen that the respondent police has recovered 2 Kgs of Ganja from A.1, A.2 and A.3 and they have been arrested and remanded to judicial custody. Since, this petitioner is being implicated on the basis of the confession given by the arrested accused and there is no previous case against the petitioner, this Court is inclined to grant Anticipatory Bail to the petitioner.

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 days from the date of receipt of a copy of this order, before the learned Additional District Judge/Principal District and Special Sessions Judge for NDPS Act cases, Madurai, on condition that the petitioner shall execute 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 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 daily twice i.e. at 10.30a.m. and 06.30 p.m. for a period of two weeks and thereafter as and when required for interrogation.

<https://hcservices.ecourts.gov.in/hcservices> 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 Judicial 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 Judicial 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]**.

sd/-
12/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE ADDITIONAL DISTRICT JUDGE/PRINCIPAL DISTRICT
AND SPECIAL SESSIONS JUDGE FOR NDPS ACT CASES, MADURAI.
- 2 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.
- 3 THE INSPECTOR OF POLICE, USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.

+1. CC to M/S.S.BALAJI Advocate SR.No.1867

ORDER IN
CRL OP(MD) No.419 of 2015
Date :12/01/2015

PBK 19/01/2015 ::2P-5C: