



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

Wednesday, the Twenty Fifth day of March Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.4638 of 2015

KARUTHAKANNAN

... PETITIONER / ACCUSED No.2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
USILAMPATTI TALUK POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.40/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MAHENDRAPATHY Advocate

For Respondent : M/S.A.P.BALASUBRAMANIAN, Govt. 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 23.02.2015 for the offences punishable under Sections 8(c) r/w. 20(b) (ii) (B), 29, 27(A) of NDPS Act in Crime No.40 of 2015 on the file of the respondent police, seeks bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side).

3. The case of the prosecution is that A1 and A2 were found in possession of 3 k.gs. of ganja each, when they were intercepted by the police on 23.02.2015 and they were arrested by the police and remanded to judicial custody. The vehicle in which they were travelling was also seized by the police. This petitioner, who has been arrayed as A2 has one previous case in Crime No.147 of 2013 involving 3 k.gs. of ganja.

4. Since the petitioner is in incarceration since 23.02.2015, this Court is of the view that this is a fit case for granting 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 Principal Special Court for EC and 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]**.

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

sd/-

25/03/2015

/ TRUE COPY /

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

TO

- 1 THE PRINCIPAL SPECIAL COURT FOR EC AND NDPS ACT CASES, MADURAI.
 - 2 THE INSPECTOR OF POLICE, USILAMPATTI TALUK POLICE STATION, MADURAI DISTRICT.
 - 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.MAHENDRAPATHY, Advocate SR.No.14659.

ORDER IN
CRL OP(MD) No.4638 of 2015
Date :25/03/2015

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