



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

Monday, the Twentieth day of April Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.4860 & 6744 of 2015

WEB COPY

MAHENDRAN

... PETITIONER/ACCUSED NO.2
IN CRL OP(MD).No.4860 of 2015

THANGAMALAI

... PETITIONER/ACCUSED NO.1
IN CRL OP(MD)NO.6744 of 2015

Vs

STATE REP BY
THE INSPECTOR OF POLICE
NIB CID, THENI,
THENI DISTRICT.
(CRIME NO. 164 OF 2014)

... RESPONDENT/COMPLAINANT
IN BOTH PETITIONS

For Petitioner : M/S.M.SHAHJAKAN Advocate
IN CRL OP(MD).No.4860 of 2015

For Petitioner : M/S.A.SARAVANAN, Advocate
IN CRL OP(MD)NO.6744 of 2015

For Respondent : MR.K.V.RAJARAJAN,
Govt. Advocate (Crl. Side)
IN BOTH PETITIONS

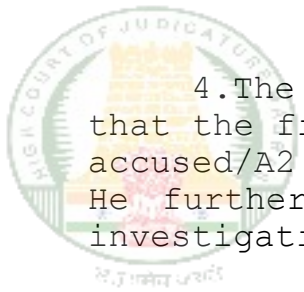
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A2 and A1, were arrested on 25.10.2014 and remanded to judicial custody for the alleged offence punishable under section 8(C) r/w 20(b)(ii)(c) of NDPS Act, 1985, in Crime No.164 of 2014 on the file of the respondent police and hence, seek bail.

2.The case of the prosecution is that the petitioners were found in possession of 25 kgs of ganja.

3.The learned counsel for the petitioner submitted that according to the prosecution, the respondent police arrested the first accused on 25.10.2014 at 12.30 hours and arrested the second accused at 14.05 hours and the case was registered at 15.45 hours, but the arrest memo contains the crime number. The learned counsel further submits that the registration of the case itself, a serious suspicion over the case of the prosecution and they are entitled for bail.



4.The learned Government Advocate (Criminal side) submitted that the first accused/A1 is having one previous case and the second accused/A2 is not having any previous case of the similar in nature. He further submits that the respondent police has completed the investigation and they have to file a charge sheet.

5.In similar circumstances, this Court has granted bail to the accused on the ground that there is a serious suspicion over the case of the prosecution.

6.Considering the facts and circumstances of the case, this court is inclined to grant bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail, on each of them 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 Special District Judge for EC and NDPS Cases, Madurai and on further condition that the petitioners shall report before the respondent police daily at 10.00 a.m. until further orders.

sd/-

20/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE SPECIAL DISTRICT JUDGE, FOR EC AND NDPS CASES, MADURAI
- 2 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI
- 3 THE INSPECTOR OF POLICE NIB CID, THENI, THENI DISTRICT.
- 4 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.SARAVANAN Advocate SR.No.19897

+1. CC to M/S.M.SHAHJAKAN Advocate SR.No.19898

ORDER

IN

CRL OP(MD) Nos.4860 & 6744 of 2015

Date :20/04/2015

NA/20/04/2015/P2/7C