



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

Thursday, the Ninth day of April Two Thousand Fifteen

PRESENT

WEB COPY

**THE HON`BLE MR JUSTICE K.KALYANASUNDARAM**

CRL OP(MD) No.5004 of 2015

1 KAVI @ KAVIYARASAN  
2 GOPAL

... PETITIONERS / ACCUSED NOS.4 & 5

Vs

THE STATE REP.BY  
THE INSPECTOR OF POLICE,  
VETTAIKKAARAN IRUPU POLICE STATION,  
NAGAPATTINAM DISTRICT.  
CRIME NO.127/2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.J.LAWRANCE, Advocate

For Respondent : M/S.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

**ORDER :** The Court Made the following order :-

The petitioners are A4 and A5 and they were arrested and remanded to judicial custody on 02.02.2015 for the alleged offence punishable under section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substance Act, 1985, in Crime No.127 of 2014 on the file of the respondent police and hence, seek bail.

2.According to the prosecution, A1 was found in possession of 13.500 kgs of Ganja and the petitioners have assisted him to purchase the contraband.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case, based on the confession of A3. He further submitted that even according to the prosecution, the petitioners have extended financial assistance to A1 to procure the contraband.



4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the petitioners did not have any previous case of similar nature and they have been roped on the confession of A3.

5.Considering the facts and circumstances of the case and also considering the period of incarceration by the petitioners and the overtact attributed against the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail, on each of them executing a personal 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 and Sessions Judge, Special Judge under E.C Act cases, Thanjavur and on further condition that the petitioners shall report before the respondent police daily twice i.e., at 10.00 a.m. and 5.00 p.m. until further orders.

sd/-  
09/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,  
SPECIAL JUDGE UNDER E.C. ACT CASES, THANJAVUR.
  - 2 THE INSPECTOR OF POLICE, VETTAIKAARAN IRUPU POLICE STATION,  
NAGAPATTINAM DISTRICT.
  - 3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
  - 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.J.LAWRANCE, Advocate SR.No.18023.

ORDER IN  
CRL OP(MD) No.5004 of 2015  
Date :09/04/2015

msm 09.04.2015 p2/6c