



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

Monday, the Thirtieth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5408 of 2015

1 SETHU

2 PANDI @ PALPANDI

3 PRABHU

... PETITIONER(S) / ACCUSED 2 to 4

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
NAGAMALAIPUDUKOTTAI POLICE STATION,
MADURAI DISTRICT. CR. NO. 113/2015. ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.MUNIYANDI Advocate

For Respondent : M/S.A.P.BALASUBRAMANI Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 09.03.2015, 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.113 of 2015, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners herein were arrested for possessing four kilograms of Ganja and the said contraband has been seized and submitted to the Court concerned. It is represented that the petitioners are in incarceration from 09.03.2015 and there is no previous case against these petitioners.

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

[a] the petitioners shall report before the respondent police daily at 06.30 p.m. for a period of four weeks and thereafter as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.



[c] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioners are complying with the order or not.

sd/-
30/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE ADDITIONAL DISTRICT FOR
PRINCIPAL SPECIAL COURT FOR EC & NDPS ACT CASED, MADURAI.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE
NAGAMALAIPUDUKOTTAI POLICE STATION, MADURAI DISTRICT.

+1. CC to M/S.S.MUNIYANDI Advocate SR.No. 5408.

TS/30.03.2015/2P-6C

ORDER
IN
CRL OP(MD) No.5408 of 2015
Date :30/03/2015