



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

Tuesday, the Thirty First day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5581 of 2015

MURUGAN @ POLIVUMURUGAN

... PETITIONER / ACCUSED No.3

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
NIBCID, THENI, THENI DISTRICT.
CR. NO. 9/2014.

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.M.RAMU Advocate for M/S.B.PANDIARAJAN 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 :-

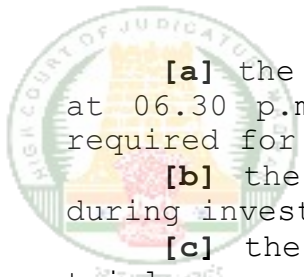
The petitioner, who was arrested and remanded to judicial custody on 16.10.2014 for the offence punishable under Section 8(c) r/w 20(b)(ii)(C) of NDPS Act, in Crime No.9 of 2014, on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that on 13.01.2014, the respondent police arrested two persons, by name Chellakali and Prabhakaran for possessing 22 Kilograms of Ganja. During the course of investigation, the name of this petitioner surfaced and, therefore, this petitioner was arrested. The investigation was completed and final report has been filed in C.C.No.179 of 2014, before the Special Court for NDPS Act Cases, Madurai.

3. The learned counsel for the petitioner submitted that A-1 and A-2, namely Chellakali and Prabhakaran have already been released on bail by this Court and produced the order copy in Crl.O.P.(MD)No.2302 of 2014, dated 06.02.2014, in which, Chellakali was granted bail.

4. In view of the above facts and circumstances of the case and since the principal accused have been released on bail, this Court is of the view that it is a fit case to grant bail to this petitioner.

5. 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 learned Additional District Judge of Principal Special Court for EC & NDPS Act Cases, Madurai, and on further condition that:



[a] the petitioner shall appear before the respondent police every day at 06.30 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 (Criminal side), whether the petitioner is complying with the order or not.

sd/-
31/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE ADDITIONAL DISTRICT JUDGE OF 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, NIBCID, THENI, THENI DISTRICT.
- +1. CC to M/S.B.PANDIARAJAN Advocate SR.No.15884.

TS/31.03.2015/2P-6C

ORDER
IN
CRL OP(MD) No.5581 of 2015
Date :31/03/2015