



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Tuesday, the Thirteenth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.565 of 2015

AYYAMPILLAI

..PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY THE INSPECTOR OF POLICE

NIB-CID, MADURAI.

CR. NO. 180/2014.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.BABU JAGANATH Advocate

For Respondent : Mr.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 21.09.2014, for the alleged offence punishable under Sections 8(c) r/w20(b) (II)(C) and 25 of the Narcotic Drugs and Psychotropic Substances Act, [for brevity, "the Act"], in Crime No.180 of 2014 on the file of the respondent police, seeks bail.

2. This is a second petition for Anticipatory Bail. The first petition for Anticipatory Bail was dismissed by this Court on 18.12.2014 by a well considered order.

3. It is seen that the petitioner was found in possession of 22 kilograms of kanja, which is a commercial quantity. Hence, Section 37 of the Act would apply. The respondent has filed a counter affidavit wherein it is stated that all the formalities have been completed and the petitioner has been arrested and remanded to judicial custody on 21.09.2014 and a case in Crime No.180 of 2014 has been registered under Sections 8(c) r/w20(b) (II)(C) and 25 of the Act and the vehicle used by the petitioner has also been seized.

4. The learned counsel appearing for the petitioner would submit that some of the co-accused have been arrested and released on bail, which, in my considered view, may not be a ground to grant bail to the petitioner, in view of the condition for granting bail under Section 37 of the Act. Therefore, the present Criminal Original Petition is dismissed.

sd/-

13/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE INSPECTOR OF POLICE, NIB-CID, MADURAI.

2 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

ORDER IN

CRL OP(MD) No.565 of 2015

Date :13/01/2015

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