



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

Wednesday, the Twenty Ninth day of April Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.6532 of 2015

WEB COPY

VELLAPANDI

... PETITIONER/SOLE ACCUSED

Vs

STATE REP BY
THE INSPECTOR OF POLICE
NIBCID, MADURAI,
CRIME NO.248/2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.J.ASSOCIATES Advocate

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

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

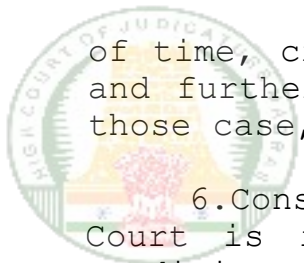
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as the sole accused in Crime No.248 of 2014 on the file of the respondent police, the accused was arrested and remanded to judicial custody on 28.12.2014 for the alleged offences punishable under Sections 8(c) r/w 20(b)(ii)(C) of NDPS Act and hence, seeks bail.

2.The case of the prosecution is that the petitioner was found in possession of 22 kgs of ganja.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. The learned counsel further submitted that the occurrence is said to have taken place on 28.12.2014, but the respondent police has produced the contraband before the Special Court only on 08.01.2015 and as per the order of this Court in Crl.O.P.(MD).No.4634 of 2015, the petitioner is entitled for bail.

4.The learned Government Advocate (Crl.side) would submit that the accused and the contraband were produced before the learned Judicial Magistrate, Melur on 28.12.2014 and on the same day the contraband was returned for production before the Special Court and thereafter, it was produced on 08.01.2015. The learned counsel further submitted that the petitioner is not entitled for bail as per Section 37 of NDPS Act. The learned Government Advocate has filed a counter and vehemently oppose the bail application.



of time, creates serious suspicion over the case of the prosecution and further held that section 37 of NDPS Act is not applicable to those case, granted bail.

6. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on 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 Principal Special Court for EC and NDPS Cases, Madurai and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m and 05.00 p.m., until further orders.

sd/-

29/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE ADDITIONAL PRINCIPAL SPECIAL COURT FOR EC AND NDPS CASES,
MADURAI
- 2 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI
- 3 THE INSPECTOR OF POLICE NIBCID, MADURAI,
- 4 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.J.ASSOCIATES Advocate SR.No.23639
ORDER
IN
CRL OP(MD) No.6532 of 2015
Date :29/04/2015

NA/29/04/2015/P2/6C