



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

Tuesday, the Twentieth day of January Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP (MD) No.769 of 2015

1 GANESAN @ NAIPODU GANESH
2 RAMESH @ BATCHA

... PETITIONERS/ACCUSED 3 & 4

Vs

STATE.REP.BY
THE INSPECTOR OF POLICE
D2 SELLUR POLICE STATION,
MADURAI CITY,
CRIME NO.39/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.LENIN KUMAR Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 8(C) r/w. 20(b)(ii)(B) of NDPS Act in Crime No.39 of 2015 on the file of the respondent police, seek anticipatory bail.

2. According to the prosecution, the first and second accused were in possession of 1.250 kgs of ganja and they have been arrested. Based on the confession of the arrested accused, the petitioners are implicated in this case.

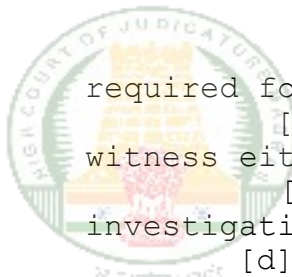
3. It is represented by the learned Government Advocate (Crl.Side) that there are two previous cases apart from this case as against the first petitioner namely Ganesan @ Naipodu Ganesh. He would further submit that as regards the second petitioner namely Ramesh @ Batcha there is no previous case.

4. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the second petitioner only. This petition as against the first petitioner is dismissed.

5. Accordingly, the second petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Special Court for EC & NDPS Act Cases, Madurai, on condition that the second petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

<https://hcservices.ecourts.gov.in/hcservices/>

[a] the second petitioner shall report before the respondent police daily at 10:30 a.m. for a period of two weeks and thereafter as and when



required for interrogation.

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

[c] the second 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 second 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]**.

Petition dismissed as against first petitioner.

sd/-

20/01/2015

/ TRUE COPY /

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

TO

1 THE SPECIAL COURT FOR EC AND NDPS ACT CASES, MADURAI.

2 THE INSPECTOR OF POLICE
D2 SELLUR POLICE STATION, MADURAI CITY.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.T.LENIN KUMAR Advocate SR.No.2343

ORDER

IN

CRL OP(MD) No.769 of 2015

Date :20/01/2015

PA/22.01.15/2P/5C