



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

Tuesday, the Second day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.7877 of 2015

LAKSHMANAN

... PETITIONER / ACCUSED No.1

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
CUMBUM NORTH POLICE STATION, THENI DISTRICT.
IN CRIME NO.169/2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. S. MUNIYANDI Advocate

For Respondent : M/S.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

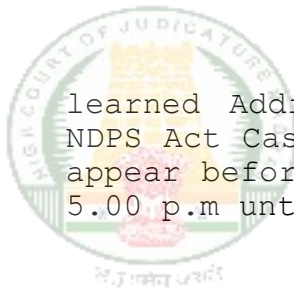
The petitioner, who is arrayed as A-1 in Crime No.169 of 2014 on the file of the respondent police was arrested and remanded to the judicial custody by the respondent police on 20.05.2014 for the alleged offence under Sections 8(c) r/w 20(b)(ii)(C) and Section 25 of NDPS Act and hence seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of 100 Kgs of ganja.

3.The learned counsel for the petitioner submitted that as per the case of the prosecution, the petitioner was arrested on 18.05.2014 at about 12.15 hours and the case was registered on 12.30 hours on 18.05.2014, but the arrest memo contains the crime number, which creates a doubt over the entire case of the prosecution. It is further submitted that in similar circumstances, this Court granted bail to the accused in Crl.O.P(MD)No.4860 & 6744 of 2015, vide order dated 20.04.2015.

4. The learned Government Advocate(Crl. Side) on instructions submitted that this is a case of commercial quantity and the accused is not entitled for bail. Further, the learned Government Advocate(Crl. Side) filed counter affidavit opposing this application.

5. However, considering the earlier order passed by this Court in Crl.O.P(MD)Nos.4860 & 6744 of 2015, vide order dated 20.04.2015, this Court is inclined to enlarge the petitioner on bail on the following conditions. Accordingly, the petitioner is directed 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 District Judge for Principal Special Court for EC & NDPS Act Cases, Madurai and on further condition that the petitioner shall appear before the respondent police daily twice i.e., at 10.00 a.m and 5.00 p.m until further orders.

sd/-
02/06/2015

WEB COPY

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

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

+1. CC to M/S. S. MUNIYANDI Advocate SR.No. 26919.

TS/02.06.2015/2P-6C

ORDER
IN
CRL OP(MD) No.7877 of 2015
Date :02/06/2015