



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

Monday, the Twenty Seventh day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.8088 of 2015

VEERARAJ

... PETITIONER / ACCUSED NO.3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
PALANICHETTIPATTI POLICE STATION,
THENI DT,
CRIME NO.146/2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.MUNIYANDI 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 third accused, in Cr.No.146 of 2015 on the file of the respondent police, arrested on 05.03.2015, for the alleged commission of offences under Sections 8(c) r/w 20(b)(ii)(c) of NDPS Act, seeks bail.

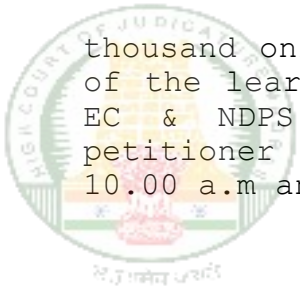
2. The case of the prosecution is that the petitioner was found in possession of 50 kilograms of ganja.

3. The learned counsel for the petitioner submitted that the respondent arrested the petitioner on 05.03.2015 at about 1.45 hours and on the basis of the confession of the co-accused, the case has been registered in Cr.No.146 of 2015 at 2.15 hours. He further submitted that the arrest memo contains the crime number, which would reveal that the entire prosecution case is false.

4.The learned Government Advocate (Crl.side) submitted that the accused was found in possession of 50 kilograms of ganja and the first accused is still at large and while, the fourth accused, who is the wife of the petitioner is in judicial custody. He further submitted that as per Section 37 of the NDPS Act, the petitioner is not entitled for bail. The learned Government Advocate (Crl.side) also filed a counter affidavit.

5.This Court, in similar facts, considered the bail application on the ground that the arrest memo contains the crime number, which creates serious suspicion over the case of the prosecution and granted bail in Crl.O.P.(MD).No.6744 of 2015, dated 20.04.2015.

6.Considering the above facts and circumstances of the case, this Court is directed to enlarge the petitioner on bail on the following conditions. Accordingly, the petitioner is directed 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 for Principal Special Court for EC & NDPS Act Cases, Madurai, and on further condition that the petitioner shall report before the respondent police daily twice i.e at 10.00 a.m and 05.00 p.m until further orders.

sd/-
27/04/2015

WEB COPY

/ TRUE COPY /

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

TO

- 1.THE ADDITIONAL DISTRICT JUDGE
FOR PRINCIPAL SPECIAL COURT FOR EC & NDPS ACT CASES, MADURAI.
 - 2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 3.THE SUPERINTENDENT CENTRAL PRISON, MADURAI.
 - 4.THE INSPECTOR OF POLICE
PALANICHETTIPATTI POLICE STATION, THENI DISTRICT.
- +1. CC to M/S.S.MUNIYANDI Advocate SR.No.22351

ORDER
IN
CRL OP(MD) No.8088 of 2015
Date :27/04/2015

RG.27.04.2015 2P.6C.