



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.8091 of 2015

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THONTHIAMMA

... PETITIONER/SOLE ACCUSED

Vs

STATE REP BY
THE INSPECTOR OF POLICE
NIBCID, THNEI, THENI DISTRICT,
CR.NO.203/2014

... 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 sole accused, in Cr.No.203 of 2014 on the file of the respondent police, arrested on 18.12.2014, for the alleged commission of offences under Section 8(c) r/w 20(b) (ii)(c) of NDPS Act, seeks bail.

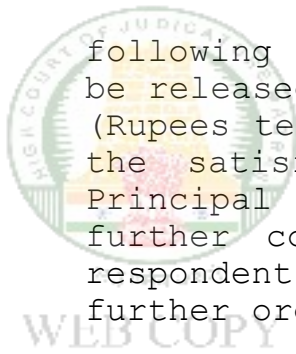
2. The case of the prosecution is that the petitioner was found in possession of 22 kilograms of ganja.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the respondent arrested the petitioner on 18.12.2014 and even as per the prosecution, the petitioner gave a confession at 10.10 hours and she was arrested at 10.50 hours and after the seizure of the contraband, a case has been registered in Cr.No.203 of 2014 at 11.45 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) vehemently opposed this application and also filed 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 inclined 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

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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 INSPECTOR OF POLICE NIBCID, THENI THENI DISTRICT.
- 3 THE OFFICER-IN-CHARGE SUB-JAIL, NILAKOTTAI
- 4 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.MUNIYANDI Advocate SR.No.22349

ORDER

IN

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Date :27/04/2015

NA/27/04/2015/P2/6C