



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

Thursday, the Thirtieth day of April Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP (MD) No.8208 of 2015

WEB COPY

MURUGESAN

... PETITIONER/ACCUSED No.3

Vs

STATE REP BY
THE INSPECTOR OF POLICE
DEVIPATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT
IN CRIME NO.8/2015,

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.PITCHAI MUTHU Advocate

For Respondent : M/S.A.P.BALASUBRAMANI
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

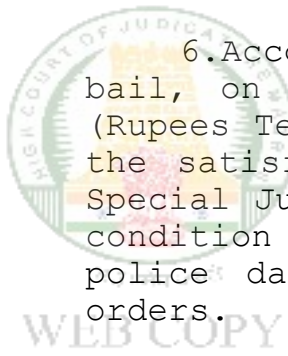
The petitioner is the accused in Crime No.8 of 2015 on the file of the respondent police, for the offence punishable under Sections 8(c) r/w 20(b)(ii)(c) and 25 of NDPS Act, 1985. The petitioner was arrested and remanded to judicial custody on 09.01.2015. He has come forward with this petition seeking bail.

2. The case of the prosecution is that the petitioner was found in possession of 140kgs of ganja

3. The learned Counsel for the petitioner submitted that the petitioner was arrested on 09.01.2015 at 01.10 p.m. and a case has been registered at 04.00 p.m., but the arrest memo contains the crime number. The learned Counsel for the petitioner further submitted that in a similar circumstances, this Court has granted bail to the accused. In support of his contention, the learned Counsel for the petitioner, relied on the order passed by this Court in Crl.O.P. (MD) No.18641 of 2014, dated 12.11.2014.

4. The learned Government Advocate (Crl.Side) opposed the petition by stating that the contraband seized from the petitioner is a commercial quantity and as per Section 37 of NDPS Act, the petitioner is not entitled for bail.

5. However, following the earlier order passed by this Court, this court is inclined to grant bail to the petitioner.



6. Accordingly, the petitioner is directed to be released on bail, on his executing a personal 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 and Principal Special Judge for EC and NDPS Act cases, Pudukkottai and on further condition that the petitioner shall appear before the respondent police daily twice at 10.00 a.m. and 05.00 p.m. until further orders.

sd/-
30/04/2015

/ TRUE COPY /

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

TO

- 1 THE ADDITIONAL DISTRICT AND PRINCIPAL SPECIAL JUDGE FOR EC AND NDPS ACT CASES, PUDUKKOTTAI
- 2 THE INSPECTOR OF POLICE DEVIPATTINAM POLICE STATION, RAMANATHAPURAM DISTRICT
- 3 THE OFFICER-IN-CHARGE, DISTRICT PRISON, RAMANATHAPURAM
- 4 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.PITCHAI MUTHU Advocate SR.No.24278
ORDER
IN
CRL OP(MD) No.8208 of 2015
Date :30/04/2015

NA/30/04/2015/P2/6C