



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.8614 of 2015

WEB COPY

KAJA ALLAUDIN

... PETITIONER/ACCUSED NO.4

Vs

STATE REP BY
THE INSPECTOR OF POLICE
NIBCID POLICE STATION, RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
CRIME NO. 40 OF 2011.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.BALAMURUGAPANDI 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 :-

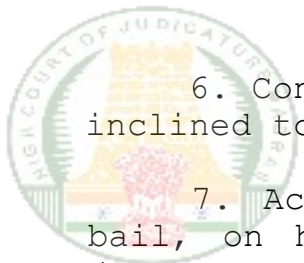
The petitioner, who is arrayed as A4 in the Calender Case in C.C No.10 of 2014 on the file of the Additional District Judge/Presiding Officer, Special Court for E.C. and NDPS Act case, Pudukkottai surrendered on 10.04.2015 for the alleged offences under Section Amendment Act Section 9/01, Section 8(c) r/w 20(c)(ii)(c) and Section 25 of NDPS Act, 1985 and has come with this petition seeking bail.

2.The case of the prosecution is that the accused was in possession of 30 kgs of ganja and 470 grams of heroin and without valid document, they entered into India.

3. The learned Counsel for the petitioner submitted that totally there are six accused and the accused who have faced trial viz., A.1, A.3, A.5 and A.6 were acquitted for the offences under Sections 20(b)(ii)(c) r/w 25 and 29 of NDPS Act and A.1 and A.3 were convicted only under Section 14 of Foreigners Act and Rule 3(a) Passport Entry into India Rules 1950.

4. The learned Counsel for the petitioner further submitted that this petitioner is a coolie and he has been falsely implicated in this case. It is further submitted that he moved an application for anticipatory bail and as per the direction in CRL OP NO.20928 of 2014, he surrendered before the Special Court and he was under judicial custody till date.

5. The learned Government Advocate (Crl.Side) submitted that the petitioner does not have any bad antecedent and he voluntarily surrendered and since then he is under judicial custody.



6. Considering the above facts and circumstances, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered 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 Judge/Presiding Officer, Special Court for E.C. and NDPS Act case, Pudukottai and on further condition that the petitioner shall appear before the trial Court on all future hearings.

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 JUDGE/ PRESIDING OFFICER, SPECIAL COURT FOR EC AND NDPS ACT CASE, PUDUKKOTTAI
- 2 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI
- 3 INSPECTOR OF POLICE NIBCID POLICE STATION, RAMANATHAPURAM, RAMANATHAPURAM DIST. CRIME NO. 40 OF 2011.
- 4 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.BALAMURUGAPANDI Advocate SR.No.24376

ORDER

IN

CRL OP(MD) No.8614 of 2015

Date :30/04/2015

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