



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

Monday, the First day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9205 of 2015

1 RAMANATHAN@SAMY

2 VIJAYAKUMAR@VIJI

... PETITIONER(S) / ACCUSED 1 & 2

Vs

THE STATE REP. BY THE INSPECTOR
OF POLICE, DEVIPATTINAM POLICE STATION,
RAMNAD DISTRICT. CR.NO.8/2015,

... RESPONDENT / COMPLAINANT

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

For Respondent : M/S.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

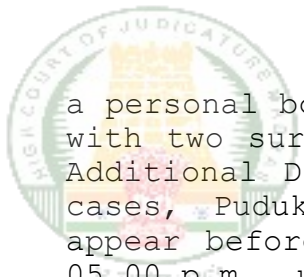
The petitioners, who are arrayed as A1 and A2 in Crime No.8 of 2015 on the file of the respondent police, were arrested and remanded to judicial custody on 09.01.2015 for the alleged offences punishable under Sections 8 (c) r/w 20(b)(ii)(c) and 25 of NDPS Act, and hence, seek bail.

2.The case of the prosecution is that the petitioners were found in possession of 140kgs of ganja.

3.The learned counsel for the petitioners submitted that the petitioners were 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 petitioners 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 petitioners, 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 petitioners is a commercial quantity and as per Section 37 of NDPS Act, the petitioners are not entitled for bail. He further submitted that the petitioners have two previous cases.

5.However, following the earlier order passed by this Court, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are directed to be released on bail on each of them 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 Sessions Judge Special court for EC and NDPS Act cases, Pudukkottai and on further condition the the petitioners shall appear before the respondent police daily twice i.e., at 10.00 a.m., and 05.00 p.m., until further orders.

WEB COPY

sd/-
01/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE ADDITIONAL DISTRICT AND
SESSIONS JUDGE SPECIAL COURT FOR EC NDPS ACT CASES, PUDUKKOTTAI.
 - 2 THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 3 THE OFFICER IN-CHARGE, DISTRICT PRISON, RAMANATHAPURAM.
 - 4 THE INSPECTOR OF POLICE, DEVIPATTINAM POLICE STATION, RAMNAD DISTRICT.
- +1. CC to M/S.M.PITCHAI MUTHU Advocate SR.No. 26631.

TS/01.06.2015/2P-6C

ORDER
IN
CRL OP(MD) No.9205 of 2015
Date :01/06/2015