



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

Friday, the Fifth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9477 of 2015

VIYAKULASAMY

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
NIBCID, DINDIGUL DISTRICT.
(CRIME NO.45 OF 2015).

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.MUNIYANDI Advocate

For Respondent : M/S.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 the sole accused in Crime No.45 of 2015 on the file of the respondent police, was arrested on 29.03.2015 for the alleged offences punishable under Sections 8(c) r/w. 20 (b) (ii) (c) of NDPS Act and hence, seeks bail.

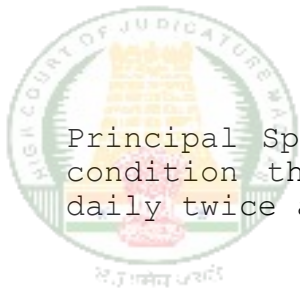
2. The case of the prosecution is that the accused was found in possession of 21 kgs. of ganja.

3. According to the case of the prosecution, the accused was arrested at 18.30 hours on 29.03.2015 and thereafter, a case was registered at 19 hours. However, the arrest memo contains the Crime number creates a serious doubt over the entire case of the prosecution.

4. The learned counsel for the petitioner submitted that in a similar circumstances, this Court had granted bail to the accused in Crl.O.P.(MD). No.4860 of 2015.

5. The learned Government Advocate (Crl.side) submitted that the petitioner does not have any bad antecedent and this is a case of commercial quantity and as per Section 37 of the Act, the accused is not entitled for bail.

6. However, following the earlier order, this Court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on 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,



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Principal Special Court for EC and NDPS Act Cases, Madurai and on further condition that the petitioner shall appear before the respondent police daily twice at 10.00 a.m. and 5.00 p.m. until further orders.

sd/-
05/06/2015

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

TO

- 1 THE ADDITIONAL DISTRICT JUDGE, PRINCIPAL SPECIAL COURT
FOR EC AND NDPS ACT CASES, MADURAI.
 - 2 THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
 - 4 THE INSPECTOR OF POLICE, NIBCID, DINDIGUL DISTRICT.
- +1. CC to M/S.S.MUNIYANDI Advocate SR.No. 28204.

TS/05.06.2015/2P-6C

ORDER
IN
CRL OP(MD) No.9477 of 2015
Date :05/06/2015