



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

Thursday, the Eleventh day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9743 of 2015

AMARESAN

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

NIBCID DINDIGUL, DINDIGUL DT,

CRIME NO.101/2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.PANDIARAJAN Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

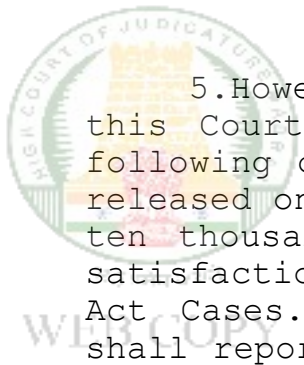
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A1 in Crime No.101 of 2014 on the file of the respondent police, was arrested and remanded to judicial custody on 26.08.2014 for the alleged offences punishable under Sections 8(c) r/w 20(b)(ii)(C), 29(1)(b) and 25 of NDPS Act, and hence, seeks bail.

2.The case of the prosecution is that the accused were found in possession of 380 Kgs of ganja.

3.The learned counsel for the petitioner submitted that the petitioner was implicated on the basis of the confession given by the co-accused and even as per the confession, he was not at all present in the scene of occurrence; that the prosecution has recovered the contraband from the other accused on 26.08.2014, but they produced the contraband before the Court only on 17.09.2014. He further submitted that in a similar circumstances, this Court granted bail to the accused in Crl.O.P.No.9744 of 2015 and A2, A4 and A5 from whom the contraband was recovered were already granted bail by the trial Court.

4.The learned Government Advocate (Crl.side) vehemently opposed the bail application stating that the accused were found in possession of 380 kgs of ganja, which is a commercial quantity and the petitioner has five previous cases, which are similar in nature and that he is a habitual offender.



5. However, considering the 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 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 Principal Special Court for EC and NDPS Act Cases. Madurai and on further condition that the petitioner shall report before the respondent police daily twice ie., at 10.00 a.m., and 05.00 p.m., until further orders.

sd/-
11/06/2015

/ TRUE COPY /

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

TO

1. THE 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, DINDIGUL DISTRICT.
- +1. CC to M/S.B.PANDIARAJAN Advocate SR.No.29902

ORDER
IN
CRL OP(MD) No.9743 of 2015
Date : 11/06/2015

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