



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

Tuesday, the Ninth day of June Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9744 of 2015

WEB COPY

ANANDAVEL

... PETITIONER/ACCUSED No.3

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

NIBCID MADURAI, MADURAI DT,

CRIME NO.197/2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.B.PANDIARAJAN Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

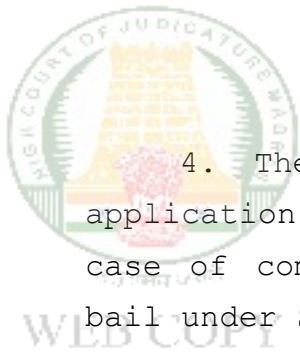
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A-3 in Crime No.197 of 2014 on the file of the respondent police was arrested and remanded to judicial custody by the respondent police on 24.04.2015 for the alleged offence under Sections 8(c) r/w 20(b)(ii)(c) 29(1) and 25 of NDPS Act and hence seeks bail.

2. The case of the prosecution is that on 14.10.2014, when the police party was conducting vehicle check up, the accused Nos.1 and 2 were found transporting 360 Kgs of ganja in the car bearing registration No.TN 11 B 5313.

3. The learned counsel for the petitioner submitted that even according to the case of the prosecution, the accused Nos.1 and 2 were arrested on 14.10.2014 at 12.00 hours and the case was registered at 13.00 hours on 14.10.2014, but the arrest memo contains the crime number. He further submitted that the contraband which is said to have been seized on 14.10.2014 was produced before the Court only on 28.11.2014, which creates a serious doubt over the case of the prosecution. He further submitted that in similar circumstances, this Court has granted bail to the accused in Crl.O.P(MD)No.6532 of 2014 on

<https://hccservices2015.gov.in/hccservices> following the order passed in Crl.O.P(MD)No.18641 of 2014.



4. The learned Government Advocate(Crl. Side) has opposed the application by filing counter affidavit and submitted that this is a case of commercial quantity and there is a specific bar for granting bail under Section 37 of NDPS Act.

5. However, considering the orders passed in the earlier Criminal Original Petitions, 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 Principal Special Court EC & NDPS Act Cases, Madurai, and on further condition that the petitioner shall appear before the respondent police daily twice i.e., at 10.00 a.m and 5.00 p.m until further orders.

sd/-
09/06/2015

/ TRUE COPY /

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

TO

- 1 THE PRINCIPAL SPECIAL COURT EC & NDPS ACT CASES, MADURAI.
- 2 THE SUPERITENDENT,CENTRAL PRISON,MADURAI.
- 3 THE INSPECTOR OF POLICE,NIBCID MADURAI, MADURAI DT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

+1. CC to M/S.B.PANDIARAJAN Advocate SR.No.29021

ORDER
IN
CRL OP(MD) No.9744 of 2015
Date :09/06/2015

PA/AMF/09.06.2015/2P/6C