



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Friday, the Twenty Fifth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.16163 of 2015

C.PRABAHARAN

..PETITIONER/ACCUSED No.1

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
CUMBUM NORTH POLICE STATION,
CUMBUM, THENI DISTRICT.
(CRIME NO. 69 OF 2014)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.B.PANDIARAJAN Advocate

For Respondent : M/s.S.PRABHA, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 8(c) r/w Section 20(b), (ii) (c) of NDPS Act in Crime No.69 of 2014 and hence, seeks anticipatory bail.

2. The case of the prosecution is that on 08.03.2014, the accused was found in possession of 40 kgs of ganja. The earlier applications of this petitioner were already dismissed holding that the petitioner is not entitled for anticipatory bail.

3.The learned counsel for the petitioner submitted that the petitioner is suffering from Hemophilic and due to that deficiency of clotting factor, the petitioner has become very weak and he has to take proper treatment. It is further submitted that if treatment is not given to him, it will lead to blood cancer and therefore, the learned counsel seeks interim anticipatory bail for a period of two weeks to give better treatment for the petitioner. The petitioner has filed an affidavit dated 25.09.2015 to that effect.

4. The learned Government Advocate (Crl. Side) appearing for the State also confirms the fact that the petitioner is a patient and he requires treatment for the said disease.

5. Considering the submission of the learned counsel for the petitioner and the learned Government Advocate(Crl.side) and the affidavit of this petitioner, I am inclined to enlarge the petitioner on interim anticipatory bail till 12.10.2015. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Principal District Special Court for E.C and NDPS Act cases, Madurai, Madurai District and 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m till 12.10.2015. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.



6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready failing which, the petition for anticipatory bail stands dismissed.

7. With the above, this Anticipatory Bail application is disposed of.

sd/-
25/09/2015

WEB COPY / TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE PRINCIPAL DISTRICT SPECIAL COURT FOR E.C. AND NDPS ACT CASES,
MADURAI, MADURAI DISTRICT.
- 2 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.
- 3 THE INSPECTOR OF POLICE, CUMBUM NORTH POLICE STATION,CUMBUM,
THENI DISTRICT.

+1. CC to M/S.B.PANDIARAJAN Advocate SR.No.56595

ORDER IN
CRL OP(MD) No.16163 of 2015
Date :25/09/2015

PBK/SK-SKN/SAR-II 29/09/2015 ::2P-5C::