



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

Tuesday, the Twenty Seventh day of September Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice C.T.SELVAM

CRL OP(MD) No.14465 of 2016

1 KARTHIK
2 PRABAHARAN
3 RAJESH

... PETITIONERS / ACCUSED No.2,3,1

Vs

State through
THE INSPECTOR OF POLICE
NIB CID, MADURAI, MADURAI DISTRICT.
CR. NO.97/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MUNIYANDI 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 :-

Petitioners/A.2, A.3 and A.1, who were arrested on 05.06.2016 for offences punishable under Section 8(c) r/w 20(b)(ii)C and Section 27(A), 29(1) of NDPS Act, in Crime No.97 of 2016 on the file of the respondent police, seek bail.

2.The case of the prosecution is that when the respondent police conducted raid in the Railway Junction, Madurai, on 05.06.2016, they found the accused were in possession of 24 kgs of Ganja.

3.The learned counsel for the petitioners submits that the petitioners are not involved in the offence and stand falsely implicated. As a common letter has been obtained from the accused waiving the right under Section 50 of the NDPS Act, such communication cannot be acted upon. The learned counsel relies on the Judgement of this Court in Crl.O.P(MD)No.8389 of 2015, dated 29.04.2015, wherein in almost similar circumstances, this Court has granted bail.

4.Heard the learned Government Advocate (Criminal Side) appearing for the respondent.

5.Considering the facts and circumstances of the case and also the fact that the petitioners are in custody from 05.06.2016, this Court is inclined to release the petitioners on bail. Accordingly, the petitioners are ordered to be released on bail on each of them executing a bond in a sum of Rs.10,000/- (Rupees ten thousand only)



with two sureties each for the like sum to the satisfaction of learned Principal Special Court for EC & NDPS Act Cases, Madurai and on condition that the petitioners shall report before the respondent police daily at 10.00 a.m until further orders.

sd/-

27/09/2016

/ TRUE COPY /

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

TO

- 1 THE PRINCIPAL SPECIAL JUDGE
FOR EC & NDPS ACT CASES, MADURAI
- 2 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI
- 3 THE INSPECTOR OF POLICE
NIB CID, MADURAI, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.MUNIYANDI Advocate SR.No.56160

SH:DB:SAR I:28/09/2016:2P/6C

ORDER

IN

CRL OP(MD) No.14465 of 2016

Date :27/09/2016