



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

Monday, the Twenty Sixth day of September Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.16722 of 2016

ALLAPITCHAI

..PETITIONER/ACCUSED No.1

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE

NIB CID, RAMANATHAPURAM.

(CR.NO.81/2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.RAMESHKUMAR Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

Petitioner / A1, who was arrested on 17.10.2015 for offences punishable under Sections 8(c) r/w 20(b)(ii)(B) NDPS Act, 1985 in Crime No.81 of 2015 on the file of respondent police, seeks bail.

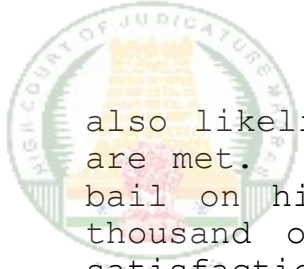
2.The case of the prosecution is that based on an information, the respondent Police visited at S.P.Pattinam to Meemisal East Coast Road at Ramanathapuram District and seized a total quantity of 134 Kgs. of Ganja from the petitioner and other accused.

3.Learned counsel for the petitioner submits that petitioner was branded as Goonda and furnished with the copy of the detention order and connected typed set of papers. Perusal thereof, revealed seizure mahazar did not inform the quantum of Ganja allegedly seized. The order of detention against the petitioner stands quashed on 21.01.2016 in H.C.P.(MD)No.1764 of 2015. The petitioner stands falsely implicated in this case.

4.We have called for records and find there is subsequent interpolations in the seizure mahazar informing quantum seized as 134 kgs. Ganja.

5.Learned Government Advocate (Crl.Side) has confirmed that the petitioner has no previous case.

6.Considering the facts and circumstances of the case, this Court is of the view that it is a fit case to grant bail though the learned Government Advocate (Crl.side) has raised strong objection. The twin parameters of likelihood of non commission of offence as



also likelihood of not being involved in any offence while on bail are met. Accordingly, the petitioner is ordered to be released on bail on his 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 Additional District and Sessions Judge / Presiding Officer Special Court for E.C. and NDPS Act Cases, Pudukkottai, and on condition that the petitioner shall report before the respondent police daily at 10.00 a.m. for two weeks and thereafter, as and when required.

sd/-
26/09/2016

/ TRUE COPY /

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

TO

- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE/
PRESIDING OFFICER SPECIAL COURT FOR E.C. AND NDPS ACT CASES,
PUDUKOTTAI.
 - 2 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
 - 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
 - 4 THE INSPECTOR OF POLICE, NIB CID, RAMANATHAPURAM.
- +1. CC to M/S.D.RAMESHKUMAR Advocate SR.No.55712

ORDER IN
CRL OP(MD) No.16722 of 2016
Date :26/09/2016

PBK/SS-3/SAR-I 26/09/2016 ::2P-6C: