



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

Friday, the Thirtieth day of September Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.16868 of 2016

1 CHINAMMA,
2 MARY,

..PETITIONERS/ACCUSED 1 & 2

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE,
THIRUVERUMBUR POLICE STATION,
TIRUCHIRAPALLI DISTRICT.
IN CRIME NO.566 OF 2016

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.JEGADEESH PANDIAN Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

Petitioners, who are arrayed as accused, pray for the grant of anticipatory bail under Section 438 of Cr.P.C. for the offences punishable under Sections 8(c) r/w 20(b)(ii) (B) of NDPS Act 1985, in Crime No.566 of 2016 on the file of the respondent police.

2.The case of the prosecution is that the petitioners were found in possession of 83 kgs of Ganja.

3.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side).

4.The learned counsel for the petitioners submitted that recovery mahazar has been made even before registering the first information report and in column No.5 the crime number has been mentioned, which clearly shows predetermined mind of the respondent Police. He further submitted that petitioners are innocent persons and they have been falsely implicated in this case.

5.Learned Government Advocate (Crl. Side) submits that no previous case is pending against the petitioner and investigation is pending.

6.On consideration of the facts and circumstances of the case and the submissions made, this Court is of the view that the petitioners can be granted the relief prayed for and accordingly;



(a) In the event of arrest by or on appearance before the respondent police;

(b) In the event of appearance before the learned Additional Principal Special Court for EC and NDPS Cases, Pudukottai, within 15 days from the date of receipt of copy of the order,

(i) petitioners shall be enlarged on bail on each of them executing a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for the like sum to their satisfaction;

(ii) petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer;

(iii) petitioners shall report before the concerned Court daily at 10.30 a.m. until further orders.

sd/-

30/09/2016

/ TRUE COPY /

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

TO

1 THE ADDITIONAL PRINCIPAL SPECIAL JUDGE FOR E.C.
AND N.D.P.S CASES, PUDUKOTTAI.

2 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

3 THE INSPECTOR OF POLICE, THIRUVERUMBUR POLICE STATION,
TIRUCHIRAPALLI DISTRICT.

+1. CC to M/S.M.JEGADEESH PANDIAN Advocate SR.No.57451

ORDER IN

CRL OP(MD) No.16868 of 2016

Date : 30/09/2016

PBK/CK/SAR-III 05/10/2016 ::2P-5C: