



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

Friday, the Twenty Third day of September Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.18249 of 2016

1 SIVASAMY,
2 RAMKUMAR,

... PETITIONERS / ACCUSED Nos.2 & 3

Vs

State rep.by
THE INSPECTOR OF POLICE,
NCB CID, RAMANATHAPURAM DISTRICT
CR.NO. 73 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SURESH Advocate

For Respondent : Mr.K.V.Rajarajan, Govt. 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 Nos.2 and 3, pray for the grant of anticipatory bail under Section 438 of Cr.P.C. for the offences punishable under Sections 8(c) r/w Section 20(b)(ii)(B), 27(A) and 29(1) of NDPS Act, 1985, in Crime No.73 of 2016 on the file of the respondent police.

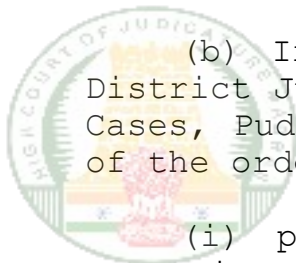
2.The case of the prosecution is that the petitioners were found in possession of 9.500 kgs of Ganja.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that based on the confession of A1, the petitioners were arrayed as accused.

4.Learned Government Advocate (Crl. Side) submits that A1 was arrested and remanded to judicial custody and no previous cases are pending against the petitioners.

5.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 District Judge/Presiding Officer, Special Court for E.C and NDPS Act Cases, Pudukkottai, 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 respondent police daily at 10.30 a.m. for two weeks and thereafter as and when required.

sd/-

23/09/2016

/ TRUE COPY /

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

TO

1 THE ADDITIONAL DISTRICT JUDGE/PRESIDING OFFICER,
SPECIAL COURT FOR E.C.AND NDPS ACT CASES,
PUDUKKOTTAI

2 THE INSPECTOR OF POLICE,
NCB CID, RAMANATHAPURAM DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.SURESH Advocate SR.No.55055

sm:PV:SAR III:28/09/2016:2P/5C

ORDER

IN

CRL OP(MD) No.18249 of 2016

Date :23/09/2016