



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

Wednesday, the Twenty Sixth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.19844 of 2016

NAMBIRAJAN

... PETITIONER / ACCUSED No.5

Vs

STATE REP BY ITS
THE INSPECTOR OF POLICE,
NANGUNERI POLICE STATION,
TIRUNELVELI DISTRICT
(CRIME NO.227 OF 2016)

... RESPONDENT/COMPLAINANT

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

For Respondent : Mrs.S.PRABHA, Govt. Advocate (Crl. Side)

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

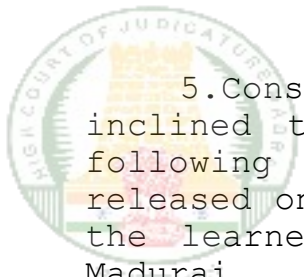
ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 8(c) r/w 20(b)(ii)(B) of NDPS Act, 1985, in Crime No.227 of 2016, on the file of the respondent police, seeks anticipatory bail.

2. The Case of the prosecution is that while the respondent police carried search in the thatched house of one Plani/A1, the police found a bag with 21 kgs of ganja and the same was seized and on the basis of the confession given by A1, the petitioner has been arrayed as A5.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4. The learned Government Advocate (Criminal Side) submitted that the petitioner is arrayed as A5 and he has been implicated in the case based on the confession of A1. The property has been recovered from the house of A1, who has already surrendered before the trial court. The petitioner is not present in the scene of occurrence.



5.Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner with the following condition. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Special District Sessions Court for NDPS Act Cases, Madurai, within a period of 10 days from the date on which the order copy made ready, and on his 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 Judge concerned and on further condition that the petitioner shall appear before the respondent police daily at 10. a.m. until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

sd/-
26/10/2016

/ TRUE COPY /

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

TO

- 1 THE SPECIAL DISTRICT SESSIONS
COURT FOR NDPS ACT CASES, MADURAI
- 2 THE INSPECTOR OF POLICE,
NANGUNERI POLICE STATION,
TIRUNELVELI DISTRICT
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.M.JEGADEESH PANDIAN Advocate SR.No.64002

ORDER
IN
CRL OP(MD) No.19844 of 2016
Date :26/10/2016

SMA/KM/SAR-3/01.11.2016:2P/5C