



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

Tuesday, the First day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice M.GOVINDARAJ

CRL OP(MD) No.20685 of 2016

KALI @ KALEESWARAN ... PETITIONER/2ND ACCUSED

Vs

THE STATE REP.BY ,
THE INSPECTOR OF POLICE,
THEPPAKULAM POLICE STATION,
MADURAI DISTRICT
CRIME NO. 1379 OF 2016 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MUNIYANDI Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

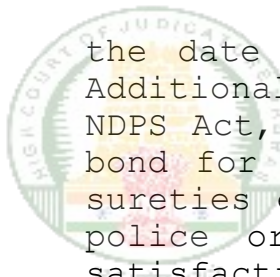
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 8 (c) r/w 20(b)(ii)(B) **and (*)25** of NDPS Act in Crime No.1379 of 2016 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was found in possession of 2 kgs of Ganja and on seeing the Police party, he ran away.

3.It is submitted by the learned counsel for the petitioner that the petitioner is an innocent person and he has not committed any offence and prays for anticipatory bail in favour of the petitioner.

4.The learned Government Advocate (Crl.side) submitted that coaccused was released on bail by this Court in Crl.O.P.(MD)No.18734 of 2016. He further submitted that investigation is pending.

5.Considering the facts and circumstances of the case and taking note of the fact that coaccused was enlarged on bail, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from



the date of receipt of a copy of this order, before the learned Additional District Court for Principal Special Court for EC and NDPS Act, Madurai, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent Police daily twice at 10:30 am and 5.00 p.m. until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial. [d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560]**.

sd/-
01/11/2016

**(*) AMENDED AS PER ORDER OF THIS
HON'BLE COURT DATED 23.11.2016
AND MADE IN CRL.MP(MD)NO.11453/2016
IN CRL.OP(MD)NO.20685/2016 BY SVNJ
/ TRUE COPY /**

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

TO

- 1 THE ADDITIONAL DISTRICT COURT FOR PRINCIPAL SPECIAL COURT FOR EC AND NDPS ACT, MADURAI.
- 2 THE INSPECTOR OF POLICE,
THEPPAKULAM POLICE STATION, MADURAI DISTRICT
- 3 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2. CCs to M/S.S.MUNIYANDI Advocate SR.Nos.72126&72108

NBJ
CSL/CK/SAR-I/07.11.2016: 2P/5C
RL/6C/2P/KM/SAR3/25.11.2016

ORDER
IN
CRL OP(MD) No.20685 of 2016
Date :01/11/2016