



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

Monday, the Fourteenth day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4401 of 2016

BALAKRISHNAN

... PETITIONER / ACCUSED No.1

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
THENI POLICE STATION,
THENI DISTRICT,
CR NO.226 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 offences punishable under Sections 8(c) r/w 20(b) (ii)(B) of NDPS Act in Crime No.226 of 2016 on the file of the respondent police, seeks anticipatory bail.

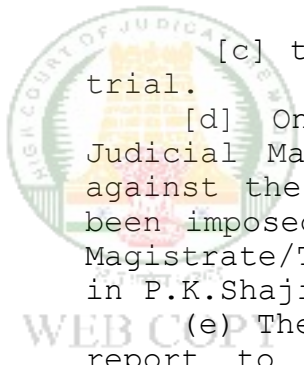
2. Heard the learned Counsel for the petitioner and the learned Government Advocate(Crl.Side) appearing for the State.

3. The learned Government Advocate (Crl.side) submitted that the petitioner was found in possession of 1.250kg of ganja and there is no previous case as against this petitioner and the accused No.2 was arrested and released on bail.

4. Taking into consideration the nature of allegations, this Court is 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 Judge for Principal Special Court for NDPS Act cases, 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 appear before the respondent police daily at 06.30 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 Judicial 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 Judicial 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].

(e) The Inspector of Police concerned, is directed to send compliance report to the office of the learned Government Advocate (Crl.Side) whether the petitioner is complying with the order or not.

sd/-

14/03/2016

/ TRUE COPY /

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

TO

1 THE ADDITIONAL DISTRICT JUDGE FOR
PRINCIPAL SPECIAL COURT FOR NDPS ACT CASES, MADURAI

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

3 THE SUB INSPECTOR OF POLICE,
THENI POLICE STATION,
THENI DISTRICT,

+1. CC to M/S S.MUNIYANDI Advocate SR.No.14233.

ORDER

IN

CRL OP(MD) No.4401 of 2016

Date :14/03/2016

AM/AN.MP/SAR-I/17.03.2016/2P/5C