



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

Wednesday, the Twenty Third day of March Two Thousand Sixteen

PRESENT

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The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5037 of 2016

1 SARASWATHI

2 LAKSHMI @ MANJULA

... PETITIONERS/ACCUSED Nos.2 & 1

Vs

STATE REP BY THE INSPECTOR OF POLICE

NIBCID POLICE STATION,

TRICHY DISTRICT.

IN CR.NO. 18 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S B.JAMEEL ARASU Advocate

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

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 04.03.2016, for the offences punishable under Sections 8 (c) r/w 20(b)(ii)(B) of N.D.P.S.Act, 1985, in Crime No.18 of 2016, on the file of the respondent Police, seek bail.

2. Heard Mr.B.Jameel Arasu, learned counsel appearing for the petitioners / accused 2 and 1 and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. The learned Government Advocate (Criminal Side) submitted that the petitioners / accused 2 and 1 were found in possession of 1.250 Kgs., of Ganja. There is no previous case as against the petitioners / accused 2 and 1, except the present case.

4. Taking into consideration the above facts, this Court is of the view that this is a fit case to grant bail to them. Accordingly, they are ordered to be released on bail, subject to the following conditions:

- (i) each of the petitioners / accused 2 and 1 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 learned Judicial Magistrate No.I, Trichy.



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- (ii) the petitioners / accused 2 and 1 shall report before the respondent Police daily at 10.30 a.m., until further orders.
- (iii) the petitioners / accused 2 and 1 shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioners / accused 2 and 1 shall not abscond either during investigation or trial.
- (v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners / accused 2 and 1 in accordance with law as if the conditions have been imposed and the petitioners / accused 2 and 1 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]**.

5. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the condition or not.

sd/-
23/03/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, TRICHY
- 2 THE CHIEF JUDICIAL MAGISTRATE, TRICHY
- 3 THE INSPECTOR OF POLICE
NIBCID POLICE STATION, TRICHY DISTRICT.
- 4 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY
- 5 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S B.JAMEEL ARASU Advocate SR.No.16284

ORDER
IN
CRL OP(MD) No.5037 of 2016
Date :23/03/2016

AA/AAL-MPA/SAR-I/23.03.2016/2p-7c