



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

Wednesday, the Twenty Third day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5103 of 2016

MURUGAN

... PETITIONER/ACCUSED No.2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
NIB CID WING,
RAMANATHAPURAM DISTRICT,
CR NO. 14/2016.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S M.SUBASH BABU 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 petitioner, who was arrested and remanded to judicial custody on 01.02.2016, for the offences punishable under Sections 8(c) r/w 20(b)(ii) (B) of N.D.P.S., Act, in Crime No.14 of 2016, on the file of the respondent Police, seeks bail.

2. Heard Mr.M.Subash Babu, learned counsel appearing for the petitioner / second accused and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. The learned Government Advocate (Criminal Side) submitted that the petitioner / second accused was found in possession of 8 Kgs., of Ganja. There is no previous case as against the petitioner / second accused, except the present case.

4. Taking into consideration the nature of allegations made against the petitioner / second accused, this Court is of the view that this is a fit case to grant bail to him. Accordingly, he is ordered to be released on bail, subject to the following conditions:

- (i) the petitioner / second accused 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 Additional District and Sessions Judge, Special Court for E.C., and N.D.P.S.Act Cases, Pudukottai.

<https://hcservices.ecourts.gov.in/hcservices> petitioner / second accused shall report before the respondent police daily at 10.30 a.m., until further orders.



(iii) the petitioner / second accused shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner / second accused 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 petitioner / second accused in accordance with law as if the conditions have been imposed and the petitioner / second accused 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 petitioner is 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 ADDITIONAL DISTRICT AND SESSIONS JUDGE,
SPECIAL COURT FOR E.C., AND N.D.P.S ACT CASES,
PUDUKOTTAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.

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

4 THE INSPECTOR OF POLICE
NIB CID WING,
RAMANATHAPURAM DISTRICT,

+1. CC to M/S M.SUBASH BABU Advocate SR.No.16740.

ORDER

IN

CRL OP(MD) No.5103 of 2016

Date :23/03/2016

AM/AN.MP/SAR-I/24.03.2016/2P/6C