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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Tuesday, the Fifth day of April Two Thousand Sixteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.5286 of 2016

SARAVANAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE,
NIBCID, THENI, THENI DISTRICT
(CR. NO. 31 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MUNIYANDI 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 24.02.2016 for the offences punishable under Sections 8(c) r/w 20(b)(ii) (B) of NDPS Act in Crime No.31 of 2016 on the file of the respondent police, seeks bail.

2. Heard Mr.S.Muniyandi, learned counsel appearing for the petitioner and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is seen that there is no previous case against the petitioner. The alleged contraband is around 11 kgs of Ganja. Taking into consideration the facts and circumstances of the case, this Court is of the view that it is a fit case to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

(i) 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 learned Principal Special Court for EC & NDPS Act cases, Madurai.

[ii] the petitioner shall report before the respondent police every day at 6.30 P.M. until further orders.



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

[iv] the petitioner 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 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]**.

[vi] The Inspector of Police is directed to send compliance report to the office of the learned Government Advocate (Crl. Side) as to whether the petitioner is complying with the conditions or not.

sd/-
05/04/2016

/ TRUE COPY /

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

TO

- 1 THE PRINCIPAL SPECIAL COURT FOR EC & NDPS ACT CASES, MADURAI.
- 2 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 3 THE SUB INSPECTOR OF POLICE,
NIBCID, THENI, THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.MUNIYANDI Advocate SR.No.18874

ORDER
IN
CRL OP(MD) No.5286 of 2016
Date :05/04/2016

PA/JGB-DP/AR I/05.04.2016/2P/6C(IT)