



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

Wednesday, the Fifteenth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP (MD) No.1544 of 2017

N.KASI

... PETITIONER/ ACCUSED NO.1

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
AUSTINPATTI POLICE STATION,
MADURAI DISTRICT.
IN CR.NO. 497 /2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.KALYANA RAMACHANDRAN Advocate

For Respondent : MRS.S.PRABHA Govt. Advocate (Crl. Side)

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

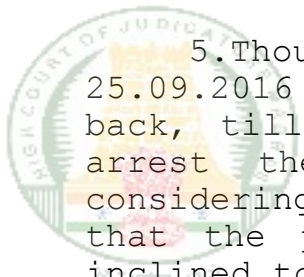
ORDER : The Court Made the following order :-

The petitioner / A1 apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 8 (c) r/w 20(b)(ii)(B), 25 & 29 of NDPS Act in Crime No.497 of 2016 on the file of the respondent Police and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side) appearing for the State.

3.The learned counsel for the petitioner submitted that it is alleged in the complaint that the petitioner was selling Ganja without valid license and on seeing the Police, he ran away from the place of occurrence leaving his two wheeler bearing Registration No.TN-58-AH-9247. When the Police conducted search in the said vehicle, they found 1.250 kg of Ganja in the same. The petitioner is innocent and he has been falsely implicated in this case. He will co-operate with enquiry.

4.The learned Government Advocate appearing for the State submitted that the petitioner is having four previous cases and that applications were dismissed considering the bad antecedents of the petitioner.



5. Though the present case has been registered as early as on 25.09.2016 and the earlier applications were also dismissed long back, till date the respondent Police did not take any steps to arrest the petitioner. Considering the above fact and also considering the submission of the learned counsel for the petitioner that the petitioner will cooperate with enquiry, this Court is inclined to grant anticipatory bail to the petitioner with stringent conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Special District and Sessions Judge for NDPS Act cases, Madurai and on his executing 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent Police daily twice at 10.30 a.m. and 5.30 p.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously. The respondent Police is also directed to file the charge sheet within a month.

6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
15/03/2017

/ TRUE COPY /

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

TO

- 1 THE LEARNED SPECIAL DISTRICT AND
SESSIONS JUDGE OF NDPS ACT CASES,
MADURAI.
- 2 THE INSPECTOR OF POLICE
AUSTINPATTI POLICE STATION,
MADURAI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.1544 of 2017
Date :15/03/2017

MS/CM-MSA-SAR 2/24.03.2017/ 2P-4C