



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

Friday, the Twenty Eighth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) No.3605 of 2017

SAVITHIRI

... PETITIONER / SOLE ACCUSED

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

KILVELUR POLICE STATION, NAGAPATTINAM DISTRICT

(CR.NO. 507 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.KUMARAVEL Advocate

For Respondent : Mr.K.V.Rajarajan, Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

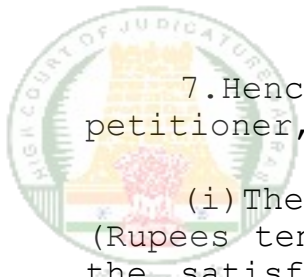
The petitioner/sole accused who was arrested and remanded to judicial custody on 23.12.2016 for the offences under Sections 8(C) r/w 22(C) of the NDPS Act in Crime No.507 of 2016 on the file of the respondent/Police, seeks bail.

2.The case of the prosecution is that the petitioner was found in possession of 550 grams of Diazepam power which is a psychotropic substance of commercial quantity.

3.According to the petitioner, she is innocent and law abiding citizen and she has not committed the alleged offence. However, based on the false case foisted against him, she is in judicial custody since 23.12.2016.

4.The case of the petitioner is that she was arrested on 23.12.2016 at 10.00 a.m and mahazar was prepared at the occurrence place itself. However, the FIR was registered only at 02.00 p.m on the same day. Whereas, the arrest card, arrest memo and seizure mahazar prepared much earlier contain the crime number which could have been available only after registration of FIR.

5.The counter filed by the prosecution does not give any explanation for the abovesaid discrepancy. Therefore, this Court is of the opinion that there is a prima facie case to hold the petitioner innocent of the crime.



7.Hence, this Court is inclined to grant bail to the petitioner, 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 Additional District and Sessions Judge(Full Additional Charge)/Special Judge for E.C. Act Case, Thanjavur.

(ii)The petitioner shall report before the respondent/Police daily at 10.30 a.m. until further orders.

sd/-  
28/04/2017

/ TRUE COPY /

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

TO

- 1 THE ADDITIONAL DISTRICT AND  
SESSIONS JUDGE (FULL ADDITIONAL CHARGE) /  
SPECIAL JUDGE FOR E.C. ACT CASE, THANJAVUR
- 2 THE SUPERINTENDENT  
CENTRAL PRISON, TRICHY
- 3 THE INSPECTOR OF POLICE  
KILVELUR POLICE STATION, NAGAPATTINAM DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.K.KUMARAVEL Advocate SR.No.21595

SM:CM-MSA:SAR 4:3.5.2017:2P/6C

ORDER  
IN  
CRL OP(MD) No.3605 of 2017  
Date :28/04/2017