



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

Tuesday, the Eighteenth day of April Two Thousand Seventeen

PRESENT

**The Hon`ble Mrs.Justice J.NISHA BANU**

CRL OP(MD) No.3765 of 2017

TAMILSELVAN @ TAMILAN

... PETITIONER/2<sup>nd</sup> ACCUSED

Vs

STATE REP.BY  
THE INSPECTOR OF POLICE,  
RAYAPPANPATTY POLICE STATION,  
THENI DISTRICT.  
(CRIME NO.76 OF 2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.MUNIYANDI Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

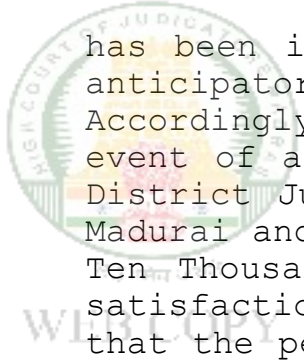
The petitioner, who is arrayed as A-2, in Crime No.76 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 8(c) r/w.20 (b) (ii) (B) of NDPS Act and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the respondent/State.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He further submits that the contraband has been seized from A1 and the petitioner was not in the place of occurrence and on the basis of the confession of A1 only, the petitioner has been implicated.

4.The learned Government Advocate (criminal side) would submit that there are two previous cases against the present petitioner and objected for grant of anticipatory bail.

5.Considering the facts and circumstances of the case and considering the fact that contra band is below the commercial quantity and no contraband has been seized from the petitioner and on the basis of the confession statement of A1 only, the petitioner



has been implicated in this case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Additional District Judge, Principal Special Court for EC and 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 Judge concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

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/-  
18/04/2017

/ TRUE COPY /

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

TO

1.THE ADDITIONAL DISTRICT JUDGE,  
PRINCIPAL SPECIAL COURT FOR EC AND NDPS ACT CASES,  
MADURAI

2.THE INSPECTOR OF POLICE,  
RAYAPPANPATTY POLICE STATION,  
THENI DISTRICT.

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

+1. CC to M/S.S.MUNIYANDI Advocate SR.No.20310

ORDER  
IN  
CRL OP(MD) No.3765 of 2017  
Date :18/04/2017

MS/PM.PN/SAR.3/20.04.2017/2P.5C