



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

Friday, the Twenty Eighth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.4871 of 2017

VALLI,

... PETITIONER / ACCUSED No.2

Vs

State represented by

THE INSPECTOR OF POLICE,

JETTY POLICE STATION, RAMANATHAPURAM DISTRICT.

(CR.NO.32/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.DEENADHAYALAN 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, who is arrayed as A-2, in Crime No.32 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.

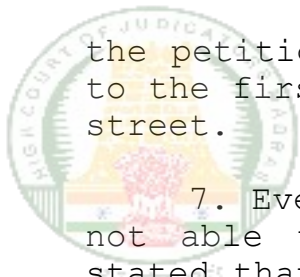
2.Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the respondent/State.

3. The case of the prosecution is that on 20.03.2017 at about 11.00 a.m on seeing the respondent police two women including the petitioner fled away from the scene of occurrence and the first accused was arrested and he was having 1.450 kgs of ganja and on his confession, the second and third accused have been implicated in this case.

4. The learned counsel for the petitioner/A2 submits that the petitioner has never committed any offence and on the basis of the confession of the first accused, the petitioner has been implicated.

5.The learned Government Advocate(Crl.Side) appearing for the respondent on instructions submitted that there are three previous cases pending against the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>
6. The learned Government Advocate (Crl.side) has filed a counter affidavit in which it is stated that on seeing the police,



the petitioner and the third accused urgently handed over something to the first accused and informed him something and escaped into the street.

7. Even though the police has seen the entire episode, they are not able to catch the accused, whereas in paragraph No.3 it is stated that only on the confession of the first accused, the second and third accused were added as accused.

8. Considering the facts and circumstances of the 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 Judicial Magistrate, Rameswaram 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 at 10.30 a.m until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

9. 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/-

28/04/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, RAMESWARAM
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT
- 3 THE INSPECTOR OF POLICE,
JETTY POLICE STATION, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.S.DEENADHAYALAN Advocate SR.No.21657

SM:KKR:SAR 4:3.5.2017:2P/6C

ORDER

IN

CRL OP(MD) No.4871 of 2017

Date :28/04/2017