



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

Monday, the Twenty Fourth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP (MD) No.4907 of 2017

KALA

... PETITIONER/ ACCUSED NO.2

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

VALANTHUR POLICE STATION,

MADURAI DISTRICT

(CRIME NO.128 OF 2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.M.JEGADEESH PANDIAN 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 :-

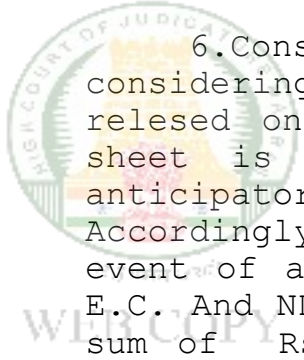
The petitioner, who is arrayed as the second accused, in Crime No.128 of 2016 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 8(C) r/w 20(b)(ii)(B) of NDPS Act, 1985 and hence, seeks anticipatory bail.

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 the accused were in possession of 3 kgs of ganja each and totally 6 kgs of ganja was seized.

4. The learned counsel appearing for the petitioner submitted that since the petitioner happens to be the wife of the first accused, she was implicated in this case.

5.The learned Government Advocate(Crl.Side) appearing for the respondent on instructions submitted that the first accused was arrested and released on bail and investigation has been almost completed and charge sheet is yet to be filed and this is the second anticipatory bail application and the first application was dismissed as withdrawn on 03.01.2017.



6.Considering the facts and circumstances of the case and considering the facts that the first accused was arrested and released on bail and investigation is almost completed and charge sheet is yet to be filed, 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 her appearance before the Special Court for E.C. And NDPS Act Cases, Madurai, and on her 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.

7.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/-
24/04/2017

/ TRUE COPY /

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

TO

1.THE JUDGE,
SPECIAL COURT FOR E.C. AND NDPS ACT CASES, MADURAI.

2.THE INSPECTOR OF POLICE
VALANTHUR POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to M/S.M.JEGADEESH PANDIAN Advocate SR.No.21091

ORDER
IN
CRL OP(MD) No.4907 of 2017
Date :24/04/2017

MS/PM.PN/SAR.4/25.04.2017/2P.5C