



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.5007 of 2017

WEB COPY

SHANMUGAM

... PETITIONER/ACCUSED-2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
KEERAITHURAI POLICE STATION,
MADURAI.

... RESPONDENT

For Petitioner : M/S.J.WILLIAM CHRISTOPHER 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.212 of 2017 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.

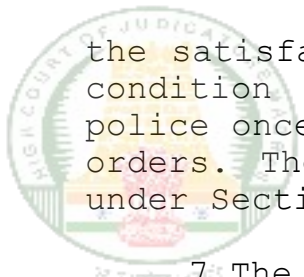
2.Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the respondent/State.

3.The case of the prosecution is that A3 and A4 were in possession of 1450 grams of ganja and they were arrested and the petitioner is alleged to have ran over from the spot.

4. The learned counsel appearing for the petitioner submitted that only on the presumption that the petitioner was selling ganja, the respondent police falsely implicated the petitioner in this case.

5.The learned Government Advocate(Crl.Side) appearing for the respondent on instructions submitted that the specific overt act attributed against the petitioner is that the petitioner was in the habit of selling ganja.

6.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 Additional District Judge, E.C & N.D.P.S Act Cases Court, 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 once in a week i.e on every Monday 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 ADDITIONAL DISTRICT JUDGE,
E.C & N.D.P.S ACT CASES COURT, MADURAI.

2 THE INSPECTOR OF POLICE,
KEERAITHURAI POLICE STATION,
MADURAI.

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

+1. CC TO M/S.J.WILLIAM CHRISTOPHER ADVOCATE SR.NO.20923

ORDER
IN
CRL OP(MD) NO.5007 OF 2017
DATE :24/04/2017

AAM-PM PN/SAR 3/25.04.2017 2P 5c