



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

Thursday, the Eighteenth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.6211 of 2017

1 GURUNATHAN
2 PRABHU

... PETITIONERS / ACCUSED NO.1 & 2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
NIBCID RAMNATHAPURAM POLICE STATION,
RAMNATHAPURAM DISTRICT.
CR.NO.23 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.MURUGAN Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners/Accused Nos.1 and 2, who were arrested and remanded to judicial custody on 16.03.2017 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(c) & 25 of NDPS Act, 1985 in Crime No.23 of 2017 on the file of the respondent police, seek bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. side) appearing for the respondent / Police.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have nothing to do with the alleged offence and therefore, prays for granting of bail to the petitioners.

4.The learned Government Advocate(Crl. Side) on instructions submitted that the petitioners were found in possession of 64 Kgs of ganja, which is a commercial quantity. Therefore, he objected for grant of bail to the petitioners.

5 Though the learned Government Advocate(Crl. Side) objected for grant of bail to the petitioners, considering the facts and circumstances of the case and also considering the fact that the



petitioners are in judicial custody from 16.03.2017, this Court is inclined to grant bail to the petitioners. Accordingly, **the petitioners are ordered to be released on bail** subject to the following conditions:

(I) Each of the petitioners 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 (Special Court for E.C and N.D.P.S Act Cases, Pudukkottai);

(ii) the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

(iii) the petitioners shall not tamper with the evidence or witness either during investigation or trial;

(iv) the petitioners shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560].

sd/-

18/05/2017

/ TRUE COPY /

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

TO

- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE
(SPECIAL COURT FOR E.C AND N.D.P.S ACT CASES, PUDUKKOTTAI.
- 2 OFFICER IN CHARGE,
DISTRICT PRISON, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE,
NIBCID RAMNAD POLICE STATION, RAMNAD DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2. CC to M/S.R.MURUGAN Advocate SR.No.22262

ORDER

IN

CRL OP(MD) No.6211 of 2017

Date :18/05/2017