



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

Thursday, the Twenty Fifth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice C.V.KARTHIKEYAN

CRL OP(MD) No.6400 of 2017

SHAHANAS

... PETITIONER / ACCUSED NO.4

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
KADAMALAIGUNDU POLICE STATION,
THENI DISTRICT.
CRIME NO. 111/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.MAHARAJA Advocate

For Respondent : MRS.S.PRABHA Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/accused No.4, who was arrested and remanded to judicial custody on 12.03.2017 for the offences punishable under Sections 8(c) r/w. 20(b) (ii) (c), 27(A) NDPS Act and Section 307 IPC., in Crime No.111 of 2017 on the file of the respondent police, seeks bail.

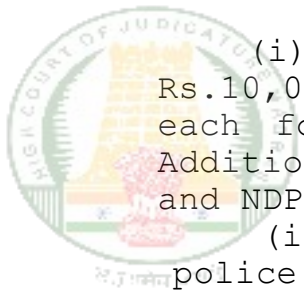
2.Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the respondent/State.

3. The case of the prosecution is that on 12.03.2017, at about 11.00 hours, the petitioner along with co-accused were found in possession of 38 Kgs., of Ganja.

4. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution.

5.The learned Government Advocate(Crl. Side) appearing for the respondent on instructions submitted that co-accused were already released on bail and the investigation is going on.

6. Considering the facts and circumstances of the case and also considering the fact that co-accused were already released on bail, this Court grant bail to the petitioner subject to the following conditions:



(i) the petitioner 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 Judge of Principal Special Court for EC and NDPS Act cases, Madurai.

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

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

(iv) The petitioner shall not abscond either during investigation or trial;

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned 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/-

25/05/2017

/ TRUE COPY /

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

TO

- 1 THE ADDITIONAL DISTRICT JUDGE OF
PRINCIPAL SPECIAL COURT FOR EC AND NDPS ACT CASES, MADURAI.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 3 THE INSPECTOR OF POLICE,
KADAMALAIGUNDU POLICE STATION,
THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.MAHARAJA Advocate SR.No.22705

ORDER

IN

CRL OP(MD) No.6400 of 2017

Date :25/05/2017

MKV-MSA-SAR 1/25.5.2017/2P-6C