



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

Friday, the Twenty Sixth day of May Two Thousand Seventeen

PRESENT

WEB COPY

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

CRL OP(MD) No.6478 of 2017

RAJAGOPAL,

... PETITIONER / ACCUSED NO:3

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
NIB-CID, MADURAI,
(CRIME NO.84 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.RAMU Advocate

For Respondent : M/S.S.PRABHA, Government Advocate(Criminal Side),

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A3 in Crime No.84 of 2017 on the file of the respondent police, was arrested and remanded to judicial custody on 24.04.2017 for the alleged offence punishable under Section 8(c) r/w.20(b)(ii)(C), 29(1), 27A and 25 of NDPS Act, and hence, seeks bail.

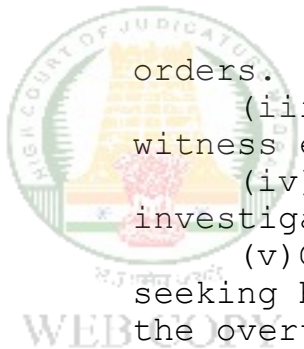
2.The learned counsel for the petitioner submitted that the petitioner is not involved in the alleged offence and he has been falsely implicated in this case. He further submitted that the petitioner has no bad antecedent.

3.The learned Government Advocate (crl.side) would submit that totally there are five accused in this case and the petitioner along with other accused were in possession of 26 kgs of Ganja each, which is beyond the commercial quantity.

4.Considering the facts and circumstances of the case, this Court grants 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 for a like sum to the satisfaction of the learned Additional Principal Special Court for EC and NDPS Act Cases, Madurai;

(ii)The petitioner shall report before the respondent police daily twice at 10.30 a.m., and 05.30 p.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)Granting of bail to the petitioner cannot be a ground seeking bail on similar grounds for the other accused, on whom the overt act is attributed;

(vi)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/-

26/05/2017

/ TRUE COPY /

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

TO

1 THE ADDITIONAL PRINCIPAL SPECIAL JUDGE,
FOR EC AND NPDS ACT CASES,
MADURAI

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

3 THE INSPECTOR OF POLICE,
NIB-CID, MADURAI,

4 THE SUPERINTENDENT
CENTRAL PRISON,
MADURAI

+1. CC to M/S.M.RAMU Advocate SR.No.22860

ORDER

IN

CRL OP(MD) No.6478 of 2017

Date :26/05/2017

SVA/PN/26.05.2017/SAR1/2P/6C