



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

Tuesday, the Eleventh day of July Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.8741 of 2017

MUNIYANDI

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
CUMBUM NORTH POLICE STATION, CUMBUM,
THENI DISTRICT,
(CR.NO.398/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.RAMESHKUMAR Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

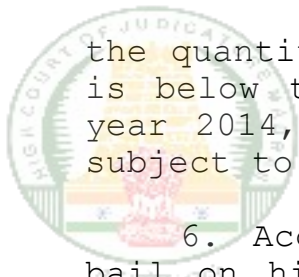
The petitioner/A1, who was arrested and remanded to judicial custody on 18.06.2017, for the offences punishable under Section 8 (c) r/s.20(b) (ii) (B) of NDPS Act, in Crime No.398 of 2017, seeks bail.

2. The case of the prosecution is that on 18.06.2017, the respondent police, while on patrol duty, found that the petitioner and A2 jointly possession of six kilograms of Ganja and the contraband was seized from the petitioner and A2. After seeing the respondent, the petitioner and A2 fled away from the occurrence place. The petitioner was arrested on 18.06.2017 and he is now in custody.

3. The learned counsel appearing for the petitioner states that the petitioner has not committed any such offence, as alleged by the prosecution and for the statistical purpose, the petitioner was falsely implicated in this case.

4. The learned Additional Public Prosecutor appearing for the respondent states that there are totally two accused in this case and the petitioner herein arrayed as A1 in this case and the petitioner is having two previous cases, one among them in Crime No.2014, for the offence punishable under NDPS Act and the investigation is still pending.

5. Considering the facts and circumstances of the case and also



the quantity of contraband seized from the petitioner herein which is below the commercial quantity and the previous case is of the year 2014, this Court is inclined to grant bail to the petitioner subject to the certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail 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 Additional District Judge of Principal Special Court for EC & NDPS Act Cases, Madurai, and on further condition that:

[a] the petitioner shall report before the Additional District Judge of Principal Special Court for EC & NDPS Act Cases, Madurai, daily at 05.30 p.m., until further orders.

[b] the petitioner shall not tamper with evidence or witness during trial.

[c] the petitioner shall not abscond either during trial.

[d] 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/-

11/07/2017

/ 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 & NDPS ACT CASES, MADURAI.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 3 THE INSPECTOR OF POLICE,
CUMBUM NORTH POLICE STATION, CUMBUM, THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.RAMESHKUMAR Advocate SR.No.26299

ORDER

IN

CRL OP(MD) No.8741 of 2017

Date :11/07/2017