



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

Tuesday, the Third day of January Two Thousand Seventeen

WEB COPY

PRESENT

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

CRL OP(MD) No.23331 of 2016

ABDUL KABUR,

...PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
TRICHY FORT POLICE STATION,
TRICHY DISTRICT.
IN CR.NO.1030/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.JAMEEL ARASU Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 30.11.2016 for the alleged offences punishable under Sections 8(c) r/w 20(b) (ii) (B) of NDPS Act, 1985, in Crime No.1030 of 2016 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in possession of 1.200 kgs of ganja on 30.11.2016.

3. The learned counsel for the petitioner states that the petitioner is the sole accused in this case and the case is falsely foisted by the respondent stating that the petitioner is in possession of 1.200 kgs of ganja on 30.11.2016.

4. The learned Government Advocate(Crl. Side) appearing for the respondent submitted that the respondent Police filed a counter affidavit today and states that the petitioner was arrested with the illegal possession of 1.200 kgs of Narcotic Drug viz., ganja and if he is released on bail, he will definitely indulge in same type of offences again and thereby the future of young people, laymen, police will be affected dangerously. He further submitted that there is no previous case against the petitioner herein. The



petitioner was arrested and he is in custody from 30.11.2016 onwards and investigation is still pending.

5. Considering the above facts and circumstances of the case and also considering the quantity of contraband, which is said to have been seized from the petitioner herein is not a commercial quantity, this Court is inclined to grant bail to the petitioner with certain condition. Accordingly, the petitioner is ordered to be released on bail on each 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 Judicial Magistrate, No.V, Trichy and on further condition that the petitioner shall appear before the learned Judicial Magistrate No.V, Trichy daily at 10.30., a.m., until further orders.

sd/-

03/01/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.V, TRICHY.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
- 5 THE INSPECTOR OF POLICE,
TRICHY FORT POLICE STATION, TRICHY DISTRICT.

+1. CC to M/S.B.JAMEEL ARASU Advocate SR.No.195

ORDER

IN

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Date :03/01/2017

AM/SKN/SAR-3/03.01.2017/2P/7C