



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

Monday, the Twelfth day of March Two Thousand and Eighteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.3821 of 2018

JEYAMANI

... Petitioner/Accused No.3

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE ,
CUMBUM NORTH POLICE STATION,
THENI DISTRICT.,
IN CR.NO 289/2017.

... Respondent/Complainant

For Petitioner : M/S.V.MAHENDRAN Advocate

For Respondent : Mr.A.ROBINSON, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

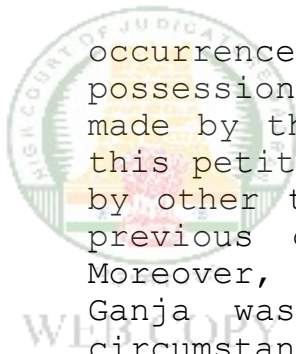
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused no.3, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 8(c), 20(b) (ii) (B) and 25 of NDPS Act in Crime No.289 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein and other accused are said to have found in possession of 2 Kgs of Ganja. Thus, on complaint, a case has been registered against the petitioner.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) would submit that the contraband materials have been seized from the petitioner and the investigation of the case is pending.



occurrence, the petitioner herein is alleged to have found in possession of 2 Kgs of Ganja. Now, on going through the submissions made by the counsel appearing for the petitioner, it is seen that this petitioner was arrayed as accused based on the confession given by other two accused. Even though the petitioner is having three previous cases, in which, two cases are entered in acquittal. Moreover, the alleged contraband materials, wherein about 2 Kgs of Ganja was recovered in this case. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail with some stringent conditions to the petitioner.

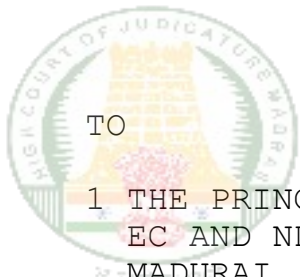
6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Principal Special Court for EC and NDPS Act Court, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner shall appear before the respondent Police daily 10.00 a.m., until further orders.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) On breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioners shall stand automatically cancelled and the learned 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 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/-
12/03/2018

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



TO

1 THE PRINCIPAL SPECIAL COURT,
EC AND NDPS ACT COURT,
MADURAI.

2 THE INSPECTOR OF POLICE,
CUMBUM NORTH POLICE STATION,
THENI DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.S.SELVAKUMAR Advocate SR.No.3900.

ORDER

IN

CRL OP(MD) No.3821 of 2018

Date :12/03/2018

SDS/MM-PN/SAR.4/16.03.2018/3P/5C