



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

Wednesday, the Thirteenth day of June Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.8848 of 2018

1 SURESH
2 SARAVANAN

... PETITIONERS/ACCUSED 1 & 2

Vs

STATE REP BY
THE SUB INSPECTOR OF POLICE
AUSTINPATTI POLICE STATION,
MADURAI.
CRIME NO.151/2018

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.D.RAMESHKUMAR Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners are accused Nos.1 and 2. They were arrested and remanded to judicial custody on 15.05.2018 for the offences punishable under Sections 8(c) r/w 20(b)(ii) (B) and 29(1) of NDPS Act, 1985 in Crime No.151 of 2018, on the file of the respondent police. They seek bail.

2.The learned counsel for the petitioners withdraws the bail petition as far as the first petitioner Suresh is concerned. The second petitioner is in custody since 15.05.2018 for offences under Sections 8(c) r/w 20(b)(ii) (B) and 29(1) of NDPS Act, 1985. The contraband in question is only a small quantity. The second petitioner is not having any previous case.

3. Considering the said fact, this Court is inclined to grant bail to the second petitioner with certain conditions. Accordingly, the second petitioner is ordered to be released on bail, subject to the following conditions;

(i) the second 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 Principal Special Court EC and NDPS Act Cases, Madurai;



ii) the second petitioner is directed to appear before the respondent police as and when required for interrogation;

(iii) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the second petitioner in accordance with law as if the conditions have been imposed and the second petitioner released on bail by the 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/-
13/06/2018

/ TRUE COPY /

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

TO

- 1 THE PRINCIPAL SPECIAL COURT
EC AND NDPS ACT, MADURAI
- 2 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI
- 3 THE SUB INSPECTOR OF POLICE
AUSTINPATTI POLICE STATION, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.D.RAMESHKUMAR Advocate SR.No.10312

ORDER
IN
CRL OP(MD) No.8848 of 2018
Date :13/06/2018

SMA/RR-CSL/GSR/13.06.2018:2P/6c