



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

Tuesday, the Twelfth day of June Two Thousand Eighteen

PRESENT

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

CRL MP(MD) No.4142 & 4143 of 2018

IN

CRL OP(MD) No.8757 of 2018

THE STATE REPRESENTED BY ITS
THE INSPECTOR OF POLICE
USILAMPATTI TALUK POLICE STATION,
MADURAI DISTRICT
CR NO. 88/2018.

... PETITIONER / RESPONDENT
(in both petitions)

Vs

VANGARU ALIAS SIVA

... RESPONDENT / PETITIONER
(in both petitions)

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to cancel the bail granted to the respondent/Accused in Crl.OP(MD) NO. 8757/2018 dated 23.05.2018 on the file of this Honourable Court.

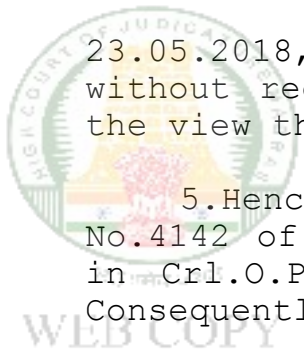
Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.GOVERNMENT ADVOCATE, Advocate for the petitioner in both petitions and of Mr.A.ROBINSON, on behalf of the Respondent in both petitions the court made the following order:-

The petitioner has come forward with this petition to cancel the bail granted to the respondent/Accused in Crl.O.P.(MD) No.8757 of 2018 on 23.05.2018.

2.Heard the learned counsel on either side.

3.The respondent is accused No.1 in Crime No.88 of 2018, on the file of the Usilampatti Taluk Police Station, Madurai District, for the offences punishable under Sections 8 (C) r/w. 20(b) (ii) (C) of NDPS Act. The contraband in question is 150 kilograms of ganja, which is commercial quantity.

4.therefore, bail can be granted only if satisfaction in terms of Section 37 of NDPS Act is recorded. But, by order, dated



23.05.2018, the vacation Court had granted bail to the petitioner without recording such satisfaction. Therefore, this Court is of the view that the bail granted earlier is illegal.

5.Hence, this Criminal Miscellaneous Petition in CrI.M.P.(MD). No.4142 of 2018 stands allowed. The bail granted to the petitioner in CrI.O.P.(MD) No.8757 of 2018 on 23.05.2018 stands cancelled. Consequently, CrI.M.P.(MD) No.4143 of 2018 is closed.

sd/-
12/06/2018

/ TRUE COPY /

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

TO

- 1 THE PRINCIPAL SPECIAL JUDGE
FOR EC & NDPS ACT CASES, MADURAI
- 2 THE INSPECTOR OF POLICE
USILAMPATTI TALUK POLICE STATION,
MADURAI DISTRICT
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL MP (MD) No.4142 & 4143 of 2018
IN
CRL OP (MD) No.8757 of 2018
Date :12/06/2018

SDS/RR:CSL/GSR/19.06.2018/2P/5C