



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.M.P(MD)Nos.4155 and 4156 of 2018
in Crl.O.P.(MD).No.8729 of 2018

STATE REP.BY
THE INSPECTOR OF POLICE,
UTHAPPANAICKANUR POLICE STATION,
MADURAI DISTRICT.
CRIME NO.41/2018

... PETITIONER/ RESPONDENT
IN BOTH THE PETITIONS

Vs

M.RAVI @ RAVICHANDRAN

... RESPONDENT/ PETITIONER
IN BOTH THE PETITIONS

PRAYER IN Crl.M.P(MD)No.4155 of 2018 in Crl.O.P.(MD).No.8729 of 2018

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to cancel the bail granted to the respondent/Accused in Crl.O.P(MD) No.8729/2018 dated 23/05/2018 on the file of this Honourable Court and thus render justice.

Prayer in CRL MP(MD). 4156/ 2018 in Crl.O.P.(MD).No.8729 of 2018

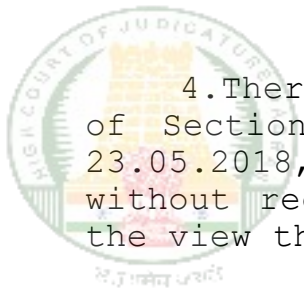
To stay the order passed by this Honourable Court in Crl.O.P.(MD) No.8729 of 2018 dated 23/05/2018 and thus render justice.

Order : These petitions coming on for orders upon perusing the petitions filed in support thereof and upon hearing the arguments of Mr.A.ROBINSON, Government Advocate(Crl.Side) for the petitioner in both the petitions and of Mr.J.SELVAM, Advocate on behalf of the Respondent in both the 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.8729 of 2018 on 23.05.2018.

2.Heard the learned counsel on either side.

3.The M.Ravi @ Ravichandran is accused in Crime No.41 of 2018 registered on the file of Uthamapalayam Police Station, Madurai District for the offences punishable under Sections under Sections 8 (C) r/w. 20(b) (ii) (C) and 25 of NDPS Act. The contraband in question is 90 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.4155 of 2018 stands allowed. The bail granted to the petitioner in CrI.O.P.(MD) No.8729 of 2018 on 23.05.2018 stands cancelled. Consequently, CrI.M.P.(MD) No.4156 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 AND NDPS ACT CASE, MADURAI.
- 2 THE INSPECTOR OF POLICE,
UTHAPPANAICKANUR POLICE STATION,
MADURAI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CrI.M.P(MD) Nos.4155 and 4156 of 2018
IN CRL OP(MD) No.8729 of 2018
Date :12/06/2018

MS/CM-VR/ASVM/18.06.2018/2P.4C