



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

Tuesday, the Nineteenth day of June Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL MP(MD) No.4399 of 2018

and

CRL MP(MD)No.4400 of 2018

IN

CRL OP(MD) No.8583 of 2018

THE STATE THROUGH
THE INSPECTOR OF POLICE
SEDAPATTI POLICE STATION,
MADURAI DISTRICT
CRIME NO. 85 OF 2018

... PETITIONER / RESPONDENT
IN BOTH PETITIONS

Vs

THEIVAM

... RESPONDENT / PETITIONER
IN BOTH PETITIONS

PRAYER IN CRL MP(MD)No.4399/18 IN CRL OP(MD)No.8583/18:-

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.O.P.(MD) No.8583 of 2018 dated 23/05/2018 on the file of this Honourable Court and thus render justice.

Prayer in CRL MP(MD). 4400/ 2018 IN CRL OP(MD)No.8583/18:-

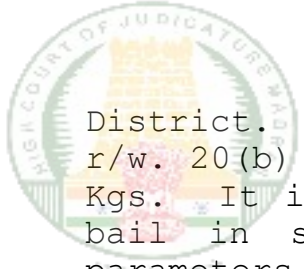
To stay the order passed by this Honourable Court in Crl.O.P. (MD) No.8583 of 2018 dated 23/05/2018 and thus render justice

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, for the petitioner in both the petitions, and the court made the following order:-

The Crl.M.P.(MD) No.4399 of 2018 has been filed by the Inspector of Police, Sedapatti Police Station, Madurai District to cancel the bail granted in Crl.O.P(MD).No.8583 of 2018, dated 23.05.2018.

2.Heard the learned counsel appearing on either side.

3.The respondent is the accused in Crime No.121 of 2018 on the file of the Inspector of Police, Sedapatti Police Station, Madurai



District. He stands accused for the offences under Sections 8 (c) r/w. 20(b) (ii) (C) and 25 of NDPS Act. The quantity of ganja is 78 Kgs. It is obviously a commercial quantity. Therefore, to grant bail in such cases, the petitioner will have to satisfy the parameters set out in Section 37 of NDPS Act. In this case, without such satisfaction, bail has been inadvertently granted. Therefore, the bail granted to the petitioner in Crl.O.P(MD).No.8583 of 2018 is illegal and the same stands cancelled.

4. Accordingly, the Crl.M.P.(MD) No.4399 of 2018 is allowed and Crl.M.P.(MD) No.4400 of 2018 is closed.

sd/-

19/06/2018

/ TRUE COPY /

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

TO

- 1 THE SPECIAL JUDGE FOR EC AND
NDPS ACT CASES, MADURAI
- 2 THE INSPECTOR OF POLICE
SEDAPATTI POLICE STATION,
MADURAI DISTRICT
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

cp/das
JAM/27/06/2018/ CM-VR /GSR/ 2p-4c

ORDER IN
CRL MP(MD) No.4399 of 2018 and
CRL MP(MD)No.4400 of 2018
IN
CRL OP(MD) No.8583 of 2018
Date :19/06/2018