



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

Friday, the Sixth day of July Two Thousand Eighteen

PRESENT

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

CRL MP (MD) No.5135 of 2018

IN

CRL OP (MD) No.8269 of 2018

STATE THROUGH,
THE INSPECTOR OF POLICE,
CHEKKANOORANI POLICE STATION,
MADURAI DISTRICT
CRIME NO.924/2017

... PETITIONER/RESPONDENT/
COMPLAINANT

Vs

TAMILSELVI

... RESPONDENT/PETITIONER/
ACCUSED No.1

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to accept the affidavit and cancel the Bail granted in Crl.O.P.(MD) No.8269/2018, Dated 23/05/2018 and thus render justice.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of MR.A.ROBINSON, Government Advocate (Crl.Side) Advocate for the petitioner and of MR.J.SANKARAPANDIAN Counsel for MR.T.BALAKRISHNAN, Advocate on behalf of the Respondent, the court made the following order:-

The petitioner is figuring as the first accused in Crime No.924 of 2017 registered on the file of the Inspector of Police, Chekkanoorani Police Station, Madurai District, for the offences under Sections 8(c) r/w 20(b)(ii)(C) of the Narcotic Drugs & Psychotropic Substances Act, 1985, [hereinafter referred to as "the Act"].

2. The contraband in question was above the commercial quantity. Without recording satisfaction in terms of Section 37 of the Act, bail was granted on 23.05.2018. Granting of such bail, without satisfaction in terms of Section 37 of the Act is illegal. Hence, bail is cancelled and accordingly, the Miscellaneous Petition stands allowed. The respondent in Crl.M.P.(MD)No.5135 of 2018, is



given liberty to file a fresh bail application and it shall be considered on its own merits.

sd/-
06/07/2018

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/ 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,
CHECKANOORANI POLICE STATION,
MADURAI.
- 3 THE SUPERINTENDENT,
CENTRAL JAIL FOR WOMEN, MADURAI
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. C.C. to MR.T.BALAKRISHNAN, Advocate SR.No.12543

ORDER
IN
CRL MP (MD) No.5135 of 2018
IN
CRL OP (MD) No.8269 of 2018
Date :06/07/2018

PK/RR-CSL/VK/13.07.2018 : 2P/6C