



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

Monday, the Twenty Second day of October Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.14648 of 2018

NISHANTH

... PETITIONER / SOLE ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
KODAIKANAL POLICE STATION,
DINDIGUL DISTRICT.
(CR NO.200 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.J.WILLIAM CHRISTOPHER Advocate

For Respondent : MR.V.NEELAKANDAN, Additional Public Prosecutor

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

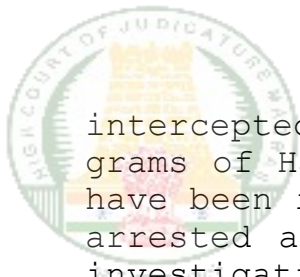
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 21.06.2018 for the offences punishable under Sections 8 (c) read with 21(b) & 22(C) of N.D.P.S. Act, 1985, in crime No.200 of 2018, on the file of the respondent police seeks bail.

2.The case of the prosecution is that on 15.06.2018, under the secret information, the respondent police conducted raid and they found that the petitioner was in possession of 820 grams of Hashish oil, 80 grams of Hashish oil. Hence, the petitioner was arrested and a case has been registered.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and the averments in the FIR would not come under the commercial quantity and the procedures contemplated under the NDPS Act has not been followed by the respondent and hence, sought for bail.

4.The learned Additional Public Prosecutor would submit by way of filing counter that on secret information, the petitioner was



intercepted by the respondent police and found in possession of 820 grams of Hashish oil, 80 grams of Hashish oil and immediately, they have been issued search memo and conducted search and they have been arrested and remanded to judicial custody on the same day and the investigation is pending.

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5. Considering the fact and circumstances of the case and considering the fact that the contraband is below commercial quantity and the period of incarceration by the petitioner, this Court is inclined to grant bail to the petitioners with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(i) the 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 for E.C. and N.D.P.S. Act, Cases, Madurai;

(ii) the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders.

sd/-
22/10/2018

/ TRUE COPY /

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

TO

1 THE PRINCIPAL SPECIAL COURT
FOR E.C. AND N.D.P.S. ACT, CASES, MADURAI.

2 THE INSPECTOR OF POLICE
KODAIKANAL POLICE STATION, DINDIGUL DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.J.WILLIAM CHRISTOPHER Advocate SR.No. 19963

ORDER
IN
CRL OP(MD) No.14648 of 2018
Date :22/10/2018

JM/PN/SAR 4/22.10.2018/2P/6C