



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

Monday, the First day of October Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.17503 of 2018

PODHURAJAN

... PETITIONER / 2nd ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
ELUMALAI POLICE STATION,
USILAMPATTI TK,
MADURAI, (CRIME NO.166/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. D. SELVARAJ Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c) r/w 20(b) (ii) (B) and 25 of Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No.166 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that on 02.07.2018, based on the secret information, the respondent police and other officials intercepted a T.V.S. Suzuki in Erumarpatti Colony to Pomanampatti Road, near Pandi Kovil, driven by the first accused along with second and third accused. Thereafter, the first accused alone was arrested and he was in possession of 8 kgs of ganja while the other accused persons escaped. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner who is arrayed as second accused is no way connected with the alleged occurrence. The respondent police without conducting proper enquiry and investigation has falsely implicated him. The first accused alone was in possession of 8 kgs of ganja and the petitioner and his father had been implicated merely on the account of them being his relatives. Hence, he prays for anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the second and third accused are the relative of the first accused. The first and third accused were



arrested and thereafter released on bail by the learned Special District and Sessions Judge (E.C.Act), Madurai in Cr.C.M.P.Nos.2545 and 3051 of 2018, dated 27.07.2018 and 17.09.2018 respectively. He further submitted that the investigation is pending.

5.Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Special District Sessions Judge (E.C.Act), Madurai and on his executing 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 Special Judge concerned and on further condition that the petitioner shall appear before the respondent daily at 10.30 a.m. until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioner shall appear before the concerned Special Judge within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
01/10/2018

/ TRUE COPY /

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

TO

- 1 THE SPECIAL DISTRICT AND
SESSIONS JUDGE (E.C.ACT), MADURAI.
- 2 THE INSPECTOR OF POLICE,
ELUMALAI POLICE STATION,
USILAMPATTI TALUK,
MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. D. SELVARAJ Advocate SR.No.18693

ORDER
IN
CRL OP(MD) No.17503 of 2018
Date :01/10/2018

JM/PN/SAR 2/10.10.2018/2P/5C