



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

Wednesday, the Tenth day of October Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.17917 of 2018

1 BABU @ KUPPISILLU BABU

2 SUNIL

... PETITIONERS / ACCUSED NO. 2 & 4

Vs

STATE REPRESENTED THROUGH
THE INSPECTOR OF POLICE,
KALIYAKKAVILAI POLICE STATION,
KANYAKUMARI DISTRICT.

(CRIME.NO.197/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.H.VELAVADHAS 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 petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 8(C) r/w 20(b), (ii) (B) of NDPS Act, in Crime No.197 of 2018, seek anticipatory bail.

2.The case of the prosecution is that when the complainant was conducting usual checkup, at that time, he came to know that the accused person was illegally trying to transport the Ganja. Hence, the respondent police registered a case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the defacto complainant. Therefore, he seeks anticipatory bail.

4.Heard the learned Additional Public Prosecutor for the respondent police.

5.In view of the rehabilitation undertaken under the Tamil Nadu District Mineral Foundation Rules, 2017, and in order to curb the illegal sand mining activities, this Court is of the opinion that the petitioners are directed to deposit a sum of Rs.5,000/- (Rupees five thousand only) as non refundable deposit to the credit of the



concerned District Mineral Foundation Trust, without prejudice to her rights and contentions before the trial Court.

6. Taking note of the facts and circumstances of this case, this Court is inclined to grant bail to the petitioners with certain conditions. Accordingly, the petitioners shall deposit a sum of Rs.5,000/- (Rupees five thousand only) as non refundable deposit to the credit of the concerned District Mineral Foundation Trust and on such deposit, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the Special Court for NDPS Act Cases, Madurai District, and on their 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 Court concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners shall appear before the concerned Court 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/-

10/10/2018

/ TRUE COPY /

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

TO

- 1 THE SPECIAL COURT FOR NDPS ACT CASES,
MADURAI DISTRICT.
- 2 THE INSPECTOR OF POLICE,
KALIYAKKAVILAI POLICE STATION,
KANYAKUMARI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

- 4 THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
MADURAI DISTRICT.

PS/RR/SAR-1:23/10/2018:2P/5C

ORDER

IN

CRL OP (MD) No.17917 of 2018

Date :10/10/2018