



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

Wednesday, the Twenty Second day of May Two Thousand Nineteen
PRESENT

WEB COPY

The Hon`ble Mrs.Justice S.RAMATHILAGAM

CRL OP(MD) No.7212 of 2019

1 MARUTHAYEE
2 KASINATHAN

... PETITIONERS / ACCUSED NOS.1 & 2

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
SETHUBACHATRAM POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO. 62/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.DEENADHAYALAN Advocate

For Respondent : Mrs.M.ANANTHA DEVI, Government Advocate

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

ORDER : The Court Made the following order :-

The petitioners were arrested and remanded to judicial custody since 27.04.2019 for the offences punishable under Section 8(c) r/w.20(b)(ii)(B) of NDPS Act,1985 in Crime No.62 of 2019 on the file of the respondent police, seek bail.

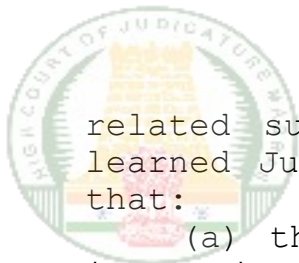
2. The case of the prosecution is that the petitioners were found in possession of 1.50 kgs of Ganja.

3. The learned counsel for the petitioners would submit these petitioners have been falsely implicated as an accused and they have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate(Crl.Side) would submit that the property has been recovered from these petitioners and she would further submit that there is no previous case pending against the petitioners.

5. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioners, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom, one should be a blood



related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate , Pattukottai and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the concerned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police daily at 10.30 a.m until further orders;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

sd/-

22/05/2019

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJORE AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,
SETHUBACHATRAM POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE,
SUB JAIL, PATTUKKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.D.DEENADHAYALAN, Advocate SR-8723[I]

ORDER

IN

CRL OP(MD) No.7212 of 2019

Date :22/05/2019