



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/07/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.10313 of 2019

Thannasi

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of police,
Kamuthi Police Station,
Ramanathapuram District.
Crime No.116 of 2019

... Respondent/Complainant

For Petitioner : M/s.S.Muniyandi,
Advocate.

For Respondent : Mr. V. Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

For bail petition in cr.no.116 of 2019 on the file of the respondent police.

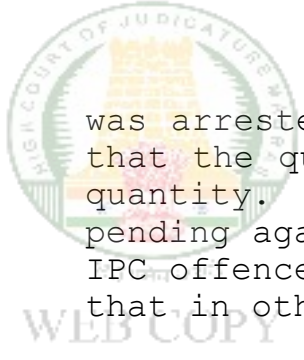
ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ sole accused seeking bail for the alleged offence under Section 8(c), 20(b)(ii) (B) of NDPS Act

2. Heard both sides

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that even as per the First Information Report, the petitioner was found in possession of 1.300kg of Ganja and the said quantity comes under the category of intermediate quantity . He further submitted that the petitioner is in custody from 14.06.2019. Hence he prayed for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor has submitted that the petitioner is found in possession of 1.300kg of Ganja and he



was arrested and remanded to judicial custody. He would also submit that the quantity involved comes under the category of intermediate quantity. He would further submit that there are 13 previous cases pending against the petitioner, out of which 12 previous cases under IPC offences and one case under NDPS Act. However he fairly conceded that in other cases the petitioner is on bail.

5. Considering the fact and circumstance of the case and as per the First Information Report, the petitioner was found in possession of only 1.300kg of Ganja and the said quantity comes under the category of intermediate quantity and also considering the fact that the petitioner is in custody from 14.06.2019 and also considering the fact that the petitioner is on bail in other cases, this Court is inclined to grant bail to the petitioner by imposing conditions.

[a] the petitioner is ordered to be released on bail 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 Additional District and Sessions Judge, Presiding Officer/Special Court for EC and NDPS Act cases, Pudukottai.

[b] the petitioner shall report before the Respondent Police, daily at 10.30 A.M for a period of One Month and thereafter, as and when required for the interrogation.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

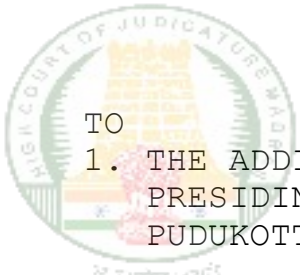
[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down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

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
25/07/2019

/ TRUE COPY /

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



TO

1. THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
PRESIDING OFFICER/ SPECIAL COURT FOR EC AND NDPS ACT CASES,
PUDUKOTTAI.

2. THE OFFICER INCHARGE, DISTRICT PRISON,
RAMANATHAPURAM.

3. THE INSPECTOR OF POLICE,
KAMUTHI POLICE STATION, RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S.S.MUNIYANDI Advocate SR.No.12250

ORDER

IN

CRL OP(MD) No.10313 of 2019

Date :25/07/2019

MS/PN/SAR-1/25.07.2019/3P.6C