



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

Date : 09/09/2019

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

WEB COPY

CRL OP(MD).No.12565 of 2019

1.Anbumuthu

2.Muthuramalingam ... Petitioners/Accused Nos. 1 & 2

Vs

State rep.by its,
The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.
Crime No.173/2019.

... Respondent/Complainant

For Petitioners : M/s.S.Sukumar,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.173 of 2019 on the file of the respondent.

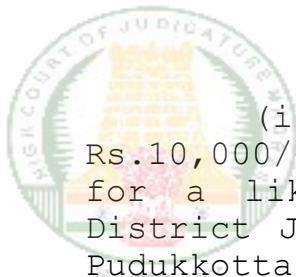
ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and learned Government Advocate(Crl. Side) appearing for the respondent.

2.The petitioners are in custody since 27.08.2019 for the offence under Section 8(c) r/w 20(b)(ii)(B) of NDPS Act, 1985 in Crime No.173 of 2019. Hence, they seek bail.

3.The quantity involved is 1.100 kgs of Ganja. The petitioners are not having any previous case.

4.Taking note of the facts and circumstances of this case, I am inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions;



(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, each for a like sum to the satisfaction of the learned Additional District Judge, Pudukkottai/Special Court of E.C., and NDPS Cases, Pudukkottai.

(ii) the petitioners shall appear before the respondent police as and when required for interrogation.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not abscond either during investigation or trial.

[v] 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].

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

sd/-

09/09/2019

/ TRUE COPY /

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

TO

1 THE ADDITIONAL DISTRICT JUDGE, PUDUKOTTAI/
SPECIAL COURT OF EC., AND NDPS CASES, PUDUKOTTAI.

2 THE OFFICER IN CHARGE, SUB JAIL, RAMANATHAPURAM.

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

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

+1 CC to M/s.S.SUKUMAR, Advocate (SR-15090[I] dated 09/09/2019)

ORDER IN
CRL OP(MD) No.12565 of 2019
Date :09/09/2019

rmi

<https://hcservices.ecr.gov.in/Services/2019/2P/6C>