



WEB COPY

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

Date : 19/12/2019

PRESENT

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

CRL OP(MD) . No.19113 of 2019

Sivaraja, ... Petitioner/Accused No.2

Vs

State rep.by
The Inspector of Police,
NIB CID, Madurai
Crime No.109 of 2019. ... Respondent/Complainant

For Petitioner : M/s. J. Jeya Aron Raja,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.109 of 2019 on the file of the respondent police.

ORDER : The Court made the following order :-

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

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 8(c) read with 20(b)(2)(b) of NDPS Act, in Crime No.109 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. The contraband recovered in this case is 15 Kgs of Ganja. The learned Government Advocate strongly opposes the grant of anticipatory bail to the petitioner.



4.It is however, not in dispute that the petitioner is not having any previous case. The contraband was recovered only from the petitioner's father who is shown as A3. In this case, the respondent has implicated the entire family. Therefore, I am of the view that while granting anticipatory bail, the investigation will not suffer.

5. In the view of the above, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Special Court for NDPS 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

6. The petitioner shall appear before the concerned Magistrate 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/-
19/12/2019

/ TRUE COPY /

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

TO

1. THE JUDGE,
SPECIAL COURT FOR NDPS ACT, MADURAI.
2. THE INSPECTOR OF POLICE,
NIB CID, MADURAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.J.JEYA ARON RAJA, Advocate (SR-22258[I] dated 19/12/2019)

ORDER
IN
CRL OP(MD) No.19113 of 2019
Date :19/12/2019

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MS/PN/SAR-II (03.01.2020) 2P 5C

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