



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

Date : 22/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20413 of 2021

1. Diwakar
2. Baskar

... Petitioners/Accused 1 & 6

Vs

The State rep.by
The Inspector of Police,
Karur Town Police Station,
Karur District.
Cr.No. 1583 of 2021.

... Respondent/Complainant

For Petitioner : M/s.SANTHANAM RAJESH KUMAR.B,
Advocate.

For Respondent : Mr.R.MEENAKSHI SUNDARAM,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.1583 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 and A6 herein, who were arrested on 09.11.2021 for the alleged offence under Sections 8(c) r/w 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.1583 of 2021 on the file of the respondent police, seek bail.

2.The case of the prosecution is that When the police went to the place of occurrence they found a car bearing registration No.TN 45 BC 7371 and the occupants of the car have been secured and on search it was found that they have possessed with Ganja. Based upon the above said search and seizure, the case has been registered.

3.The learned counsel for the petitioner submitted that the petitioners are innocent persons and they were falsely implicated in this case and they have not committed any offence as alleged by the prosecution. The petitioners are not involved in similar previous cases. He is only car mechanic. When the car was broke down, the driver of the car requested him to repair the same. At that time the police team came there and secured all the accused persons.

4.The learned Additional Public Prosecutor submitted that there is absolutely no material to show that this petitioner went to the place of occurrence only on the invitation of the other accused



persons to the place of occurrence to repair the car. There is clear admission on the part of the petitioner. Only based upon which they have secured the accused and seized the contraband.

5. Even though medical ground is also been projected by the counsel for the petitioner, the veracity of the Medical Certificate cannot be gone into at this stage. However, considering the fact that the petitioners are not involved in any other previous cases, contraband has been recovered and the duration of custody, this Court is inclined to grant bail to the petitioner on certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail, on executing a personal 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 Judge, Special Court for E.C. and NDPS Act Cases, Pudukottai, Pudukottai District and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
22/12/2021

/ TRUE COPY /

22/12/2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO

- 1 THE JUDGE
SPECIAL COURT FOR E.C. AND NDPS ACT CASES,
PUDUKOTTAI, PUDUKOTTAI DISTRICT.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY, TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION,
KARUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.20413 of 2021
Date : 22/12/2021

SA/VR/SAR.3/22.12.2021/2P/5C

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