



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

Thursday, the Twenty Fifth day of June Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM
CRL OP(MD) No.10130 of 2015

VIMALA

... PETITIONER) / ACCUSED No.2

Vs

state rep by
THE INSPECTOR OF POLICE
NIB CID, MADURAI.
CRIME NO.123 OF 2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.RAMU Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A2, was apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 8(c) r/w.20 (b) (ii) (C) and 25 of NDPS Act, in Crime No.123 of 2014 on the file of the respondent police and hence, seeks anticipatory bail.

2.Mr.M.Ramu, learned counsel for the petitioner submitted that the case of the prosecution is unbelievable and as per the prosecution, while the respondent police stopped the vehicle, the petitioner escaped from the scene of occurrence. It is further submitted that the arrest memo contains the Crime number which creates serious doubt over the prosecution case and there is a delay in producing the contraband before the concerned Court and the respondent has also completed the investigation and filed the charge-sheet and therefore, application can be considered.

3.The learned Government Advocate (Crl.side) objected the bail petition stating that the earlier application was dismissed on merits on 13.01.2015 observing that the petitioner is not entitled for bail and therefore, this application need not be considered and it is further submitted that the petitioner was found in possession of 25 kgs of Ganja and as per Section 37 of the NDPS Act there is a bar in granting anticipatory bail to the petitioner.

4.Considering the above fact, I am not inclined to grant anticipatory bail to the petitioner, hence, this petition is dismissed.

sd/-

25/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE INSPECTOR OF POLICE
NIB CID, MADURAI.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

Sm:SAR I:02.07.2015:1P/3C

ORDER

IN

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Date :25/06/2015