



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

Monday, the Sixteenth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.17709 of 2015

SUBBAIAH THEVAR  
KNOWN

... PETITIONER/ACCUSED RANK NOT

Vs

THE STATE THROUGH  
THE INSPECTOR OF POLICE  
ARALWAIMOZHI POLICE STATION,  
KANYAKUMARI DISTRICT.  
(IN CR.NO. 225 / 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S P.SENKUTTARASAN Advocate

For Respondent : MR.K.ANBARASAN, Government Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

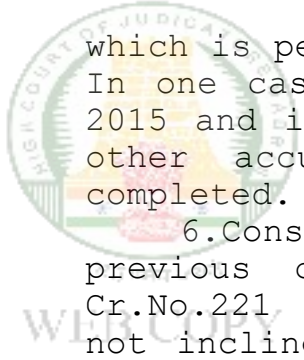
The petitioner, who is arrayed as accused , apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 8(c) r/w 20(b) (II) (B) of NDPS Act, 1985, in Crime No.225 of 2015, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that at the time of patrolling duty, on seeing the police party, the petitioner ran away from the scene of occurrence. The respondent police arrested the accused No.1 and recovered 5 kg of Ganja and 10 pockets each contained 10 grams of Ganja. On investigation, it was found that the petitioner is the main supplier of Ganja in a mass scale and also to individuals and hence, the case has registered for the above said offences.

3.The case of the petitioner is that he is an innocent person and he has not involved in any of the offences. The respondent police did not follow the procedure contemplated under Section 50 of the NDPS Act.

4.The learned Government Advocate (Crl.side) submitted that the petitioner is the main supplier of Ganja.

<https://hcservices.ecourts.gov.in/hcservices/>  
5. A perusal of the counter affidavit it is seen that the respondent police has given a details of cases similar in nature,



which is pending against the petitioner in different police station. In one case, the petitioner was enlarged on bail in Cr.No.221 of 2015 and in that the petitioner has violated the condition . The other accused are still absconding and the investigation is completed.

6.Considering the above facts, gravity of offence, pendency of previous cases and violation of earlier condition imposed in Cr.No.221 of 2015 and other accused are still absconding. I am not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-  
16/11/2015

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE, ARALWAIMOZHI POLICE STATION,  
KANYAKUMARI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECTUOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.17709 of 2015  
Date :16/11/2015

CSL/KBM/AR-I/19.11.2015  
2P/3C