



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

Tuesday, the Fifth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.8717 of 2016

S. RAMANATHAN

... PETITIONER/PEITIONER/ACCUSED N O.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
NIPCID,PUDUKKOTTAI.
(CRIME NO. 10 OF 2016)

... RESPONDENT/RESPONDENT/COMPLAINANT

For Petitioner : M/S.H.VELAVADHAS Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

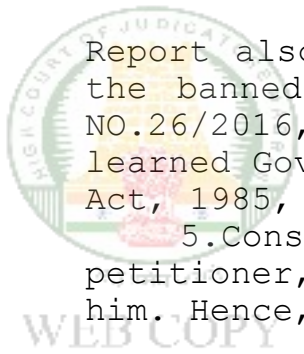
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 8(c) r/w 20(b) (ii) B, 25, 29 NDPS Act, 1985, in Crime No.10 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 01.02.2016 the respondent police seized 8kg of Ganja from a Toyota Etios Car bearing Registration No.TN-65-R-2826. Accused Nos.2,3,4,7 & 8 were arrested and on their confession, 12 kgs of Ganja were seized under seizure mahazar. On complaint, a case has been registered for the above said offences.

3.The case of the petitioner is that he is running the Real Estate Business and a Cab in Ramanathapuram District. He is an innocent and he has not committed any offence, as alleged by the prosecution. According to him, the contraband was not seized from him and it was seized only from the other accused.

4.The learned Government Advocate(Crl.side) filed counter affidavit and submitted that this is the fifth application for anticipatory bail. Based on the confession of the co-accused, the petitioner was arrayed as accused and it came to be revealed during the course of investigation that all the accused persons colluded together with the common intention to commit the offence. Further, the contraband seized is "commercial quantity" and samples of the same were sent for Chemical Analysis by the Regional Deputy Director of Regional Forensic Laboratory, Ramanathapuram and the Analysis



Report also revealed that in all the sample packets, 20 in number, the banned NDPS substance "cannabis" was found vide Report in PP NO.26/2016, dated 07.03.2016. That being so, according to the learned Government Advocate (Crl.side) as per Section 37 of the NDPS Act, 1985, the petitioner is not entitled for bail.

5.Considering the serious allegations made against the petitioner, this Court is not inclined to grant anticipatory bail to him. Hence, this petition is dismissed.

sd/-

05/07/2016

/ TRUE COPY /

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

TO

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

JA-DB/SAR.I/22.7.2016/2P:3C

ORDER

IN

CRL OP(MD) No.8717 of 2016

Date :05/07/2016