



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

Monday, the Second day of April Two Thousand Eighteen

PRESENT

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

CRL OP (MD) No.4095 of 2018

G.GANESAN @ GUNDUGANESAN

... PETITIONER/ACCUSED NO.3

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE,
UTHAPPANAICKANUR POLICE STATION,
MADURAI.

CRIME NO.41 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.J.SENTHIL KUMARAIAH Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU,
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.3, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 8(c), 20(b)(ii) (c) and 25 of Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No.41 of 2018, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with the other accused was found in illegal possession of 30Kgs of Ganja and after seeing the police party, the petitioner ran from there. Therefore, the defacto complainant has lodged the present complaint, based on which, the respondent police registered a case in Crime No.41 of 2018, on the file of the Inspector of Police, Uthappanaickanur Police Station, Madurai.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any of the offences as alleged by the prosecution.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that there are two previous cases pending against the petitioner.

5.Considering the facts and circumstances of the case and also considering the fact that the contraband is above the commercial



quantity, the question of having Anticipatory Bail does not arise. Hence this Court is not inclined to grant Anticipatory Bail. Therefore, the Criminal Original Petition is dismissed.

sd/-
02/04/2018

/ TRUE COPY /

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

TO

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

TSG
CSL/PN/SAR-IV/06.04.2018 :2P/3C

ORDER
IN
CRL OP(MD) No.4095 of 2018
Date :02/04/2018