



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

Wednesday, the Twenty First day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.4462 of 2018

CHIRANJEEVI

... PETITIONER/ACCUSED NO.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION,
USILAMPATTI,
MADURAI DISTRICT,
CRIME NO. 205/2018

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MAHENDRAPATHY Advocate

For Respondent : MR.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent Police for the alleged offences punishable under Sections 8(c), 20(b)(ii)(B) of NDPS Act in Crime No.205 of 2018 seeks anticipatory bail.

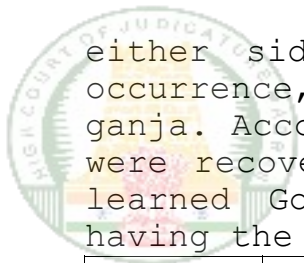
2.The case of the prosecution is that on 13.03.2018, while the respondent police was in patrol duty, at that time, he found that the petitioner and other accused in this case were found in possession of 1.300 kgs of ganja. Hence, a case has been registered for the above said offences.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has been falsely implicated, further added that he has not committed any offence as alleged, and pleads for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate(Criminal Side) appearing for the State submitted that the petitioner is having six previous cases. According to him, investigation is still pending.

<https://hcservices.ecourts.gov.in/hcservices/>

5.The submissions made by the learned counsel appearing on



either side are considered. It is alleged, during the time of occurrence, the petitioner was found in possession of 1.300 kgs of ganja. According to prosecution, as of now, the contraband materials were recovered. However, on go through the submissions made by the learned Government Advocate, it appears that the petitioner is having the following previous cases;

1.	Usilampatti Town P.S. Crime No.1459 of 2004-8(c)r/w.20(b) (ii)(A) NDPS Act., STC .No.576 of 2006 Con. Fine Rs.1000/-
2.	Usilampatti Town P.S. Crime No.108 of 2009, -110 Cr.P.C., - M.C.No.78 of 2009 - BO
3.	Usilampatti Town P.S. Crime No.182 of 2016, -107 Cr.P.C., -BO
4.	Usilampatti Town P.S. Crime No.215 of 2016- 8(c)r/w. 20(b) (ii)(A) NDPS Act.,-NTF
5.	Usilampatti Town P.S. Crime No.424 of 2016- 8(c)r/w. 20(b) (ii)(B) NDPS Act.,-STC.No.398/2017- Con. Fine Rs.1000
6.	Usilampatti Town P.S.Crime No.566 of 2016 8(c)r/w 20(b) (ii) (B) NDPS Act

6.So, considering the previous antecedents of the petitioner, shows that the petitioner is a habitual offender.If this type of petitioner is granted anticipatory bail, he may tamper the witness and hamper the investigation. Hence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the Criminal Original Petition is dismissed.

sd/-

21/03/2018

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

TO

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

MSA

CSL/RR/SAR-IV/03.04.2018 :2P/3C

ORDER

IN

CRL OP(MD) No.4462 of 2018

Date :21/03/2018