



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

Monday, the Twenty Third day of April Two Thousand Eighteen

PRESENT

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

CRL OP(MD) Nos.6307 & 6308 of 2018

TAMILSELVI

... PETITIONER / ACCUSED - 1
IN BOTH THE PETITIONS

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
CHECKANURANI POLICE STATION,
MADURAI DISTRICT.
IN CRIME NO.924 OF 2017.

... RESPONDENT / COMPLAINANT
IN CRL OP(MD)No.6307/2018

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
NAGAMALAI PUDUKOTTAI POLICE STATION,
MADURAI DISTRICT.
IN CRIME NO.13 OF 2018.

... RESPONDENT / COMPLAINANT
IN CRL OP(MD)No.6308/2018

For Petitioner : M/S.S.DHANASEKARAN Advocate IN BOTH THE PETITIONS

For Respondent : MR.A.ROBINSON Govt. Advocate (Crl. Side)
IN BOTH THE PETITIONS

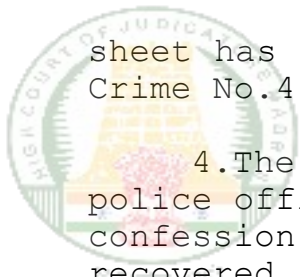
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner is shown as Accused No.1 in Crime No.924 of 2017 on the file of the Checkanurani Police Station and in Crime No.13 of 2018 on the file of the Nagamalai Pudukottai Police Station, apprehending arrest for the offences punishable under Section 8(c) 20(b)(ii)(c) of Narcotic Drugs and Psychotropic Substances Act, 1985, seeks anticipatory bail.

2.Heard the learned counsel on either side.

3.The learned counsel for the petitioner prays for granting anticipatory bail on the ground that the co-accused in this case have already been granted bail on merits. He also took the Court to the fact that the petitioner was acquitted in C.C.No.263 of 2012 on the file of the I Additional NDPS Court, Madurai. Even though she was arrayed as accused in Crime No.22 of 2012, till now, charge



sheet has not been filed. Though she was included in yet another in Crime No.4 of 2014, she was fairly and rightly deleted.

4.The learned counsel for the petitioner submitted that the police officials have falsely implicated the petitioner based on the confession obtained from the person from whom the contraband was recovered. Even though this Court finds some force in the submission of the learned counsel for the petitioner, this Court is of the view that in a case arising under NDPS Act, anticipatory bail cannot be lightly granted. And this is a second petition for anticipatory bail. In these circumstances, it is better that the petitioner surrenders before the concerned Court and obtains regular bail.

5.Therefore, the petitioner is directed to surrender before the learned I Additional Special Judge for EC and NDPS Cases, Madurai and the Jurisdictional Special Judge shall dispose of the bail application on merits as expeditiously as possible, after giving opportunity to the learned Public Prosecutor.

6.With the above observations, these Criminal Original Petitions are closed.

sd/-
23/04/2018

/ TRUE COPY /

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

TO

1 THE I ADDITIONAL SPECIAL JUDGE FOR EC AND NDPS CASES,
MADURAI.

2 THE INSPECTOR OF POLICE,
CHECKANURANI POLICE STATION,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
NAGAMALAI PUDUKOTTAI POLICE STATION,
MADURAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+4. CC to M/S.S.DHANASEKARAN Advocate SR.Nos.6864 & 6865

ORDER IN
CRL OP(MD) Nos.6307 & 6308 of 2018
Date :23/04/2018