

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fourth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.10888 of 2019

RAJAMMAL

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
KOLATHUR POLICE STATION,
METTUR TALUK,
SALEM DISTRICT.
CR.NO.256 OF 2018

[RESPONDENT]

For Petitioner : M/S.D.LAKSHMIPATHY Advocate

For Respondent : MR.C.RAGHAVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 8 (b) r/w 20(a)(i)(c) of NDPS Act 1985 in Crime No.256 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the 1st accused planted 36 Ganja plants weighing about 30 kgs in 1 cent of patta land stands in the name of the 2nd accused/petitioner herein, who is his wife. Based on the information, the respondent police reached the spot and seized the contraband. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she did not commit any such offence as alleged by the prosecution.

4. The learned Government Advocate (Crl.Side) would submit that the petitioner is arrayed as A2 in this case and A1, who is the husband of the petitioner has been arrested and remanded to judicial custody. He submitted the petitioner is an habitual offender. He would also submitted that this is the 2nd petition and the 1st petition was dismissed by this Court on 15.11.2018. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration the nature of offence committed by the petitioner and also the submission made by the learned Government

Advocate (Crl.Side) that the petitioner is an habitual offender and also that there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

24/04/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE
KOLATHUR POLICE STATION,
METTUR TALUK,
SALEM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.D.LAKSHMIPATHY Advocate on payment of necessary charges

CRL OP.10888/2019

Date :24/04/2019

RD 06/05/2019

WEB COPY