



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.8699 of 2020

S.Sivaraj,
S/o.Sivasamy Arumuga Gounder. ... Petitioner/2nd Accused

Vs.

State Rep by its
The Inspector of Police,
Avinashi Police Station,
Tiruppur. ... Respondent/Complainant
(Crime No.213 of 2020)

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C., praying, to enlarge the petitioner/accused on bail in the event of arrest in connection with Crime No.213 of 2020, on the file of the respondent police.

For Petitioner :M/s.K.V.Law Firm
For Respondent :Mr.K.Prabakar
Additional Public Prosecutor

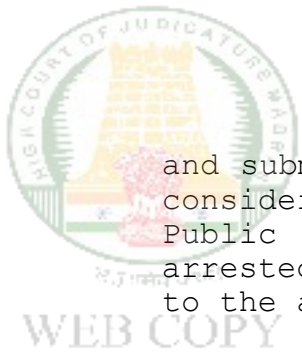
O R D E R

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 8(c) r/w 20(b)(ii)(B) of NDPS Act in Crime No.213 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was found to be in possession of 5 Kgs. of Ganja and the same was seized by the respondent Police.

3.The learned counsel for the petitioner submitted that the petitioner is arrayed as A2 in this case. A1 was arrested and he was enlarged on bail. The learned counsel further submitted that this petitioner has been added as accused based on the confession of the co-accused. Hence, he seeks for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing on behalf of the respondent Police vehemently opposed this petition



and submitted that in case of this nature, this Court should not consider grant of anticipatory bail. The learned Additional Public Prosecutor further submitted that the co-accused was arrested and thereafter enlarged on bail and that will not enure to the advantage of the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the fact that the case involves an offence under NDPS Act, this Court is not inclined to grant anticipatory bail to the petitioner.

6. It is always open to the petitioner to surrender before the concerned Court and file a bail petition and work out his remedy in accordance with law. This Criminal Original Petition is accordingly dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To.

1. The Additional District Judge/Presiding Officer,
Special Court for Essential Commodities Act Cases,
Coimbatore.
2. The Inspector of Police,
Avinashi Police Station,
Tiruppur.
3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.8699 of 2020

MR(CO)
GS(13/07/2020)