



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 19/05/2020
PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5375 of 2020

Muniyasamy,
(Name Wrongly Mentioned as Kunji
Muniyasamy in Fir)

... Petitioner/Accused No.3

Vs

The Inspector of Police,
Mudukulathur Police Station,
Ramanathapuram District
(In Crime No.93 of 2020)

... Respondent/Complainant

For Petitioner : Mr.R.Venkateswaran,
Advocate.

For Respondent : Mr.S.Chandra Sekar,
Additional Public Prosecutor

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

PRAYER :-

for Anticipatory Bail in Crime No.93 of 2020 on the file of the
respondent police

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the
respondent police for the offence punishable under Section 8(c)20(b)
(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985,
seeks anticipatory bail.

2. Heard both sides.

3.The case of the prosecution is that on 30.03.2020 at about
12.40 p.m., in a motorbike bearing registration No.TN 65 AY 9309,
three persons were travelling. On seeing the police, the pillion
riders fled away from the scene of occurrence. The driver of the
two wheeler was arrested. During the enquiry, they found a
polythene pocket containing 1 Kg., 500 grams Ganja concealing in the



pouch of the motor bike. This petitioner who is one of the two persons fled, is arrayed as A3. The identity of the petitioner is disclosed by the co-accused.

4.The learned Additional Public Prosecutor appearing for the State would submit that this petitioner is one of the two persons, who fled away from the scene of occurrence on seeing the police. Taking advantage of the lock down period and closure of TASMACH shop, this petitioner along with two others procured 2 Kg., Ganja with an intention to sell it in retail at premium price. During the course of said action, they were intercepted by the police. To know the source of the contraband, the custody of the petitioner is required.

5.The offence of possessing and transporting narcotic drugs has been prima facie made out against the petitioner. Since the petitioner has fled away from the scene of occurrence, the prosecution is unable to complete the investigation. If the petitioner is granted anticipatory bail, the investigation will get tampered.

6.Considering the gravity of the crime and the possibility of evading the due process of investigation, this petition seeking anticipatory bail stands dismissed.

sd/-
19/05/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE INSPECTOR OF POLICE
MUDUKULATHUR POLICE STATION,
RAMANATHAPURAM DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER
IN
CRL OP(MD) No.5375 of 2020
Date :19/05/2020