



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

Date : 06/10/2020

PRESENT

The Hon'ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD).No.9523 of 2020

A.C.Manivannan

...Petitioner/Accused
Rank Not Known

Vs

State Rep.by
The Inspector of Police,
Kombai Police Station,
Theni District.
(Crime No.51 of 2020)

... Respondent/Complainant

For Petitioner : Mr.T.Ayngaraprabhu,
Advocate.

For Respondent : Mr.K.R.Bharathikannan,
Government Advocate (Crl.Side)

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

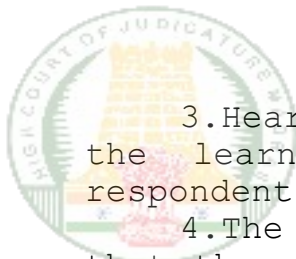
PRAYER :-

For Anticipatory Bail in Crime No.51 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A4, apprehending arrest at the hands of the respondent police for the offence punishable under Sections 8(c) and 20(b)(ii)(B) of Narcotic Drugs & Psychotropic Substances Act, 1985, in Crime No.51 of 2020, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that on 06.03.2020 while the respondent police was conducting check up near at kombai Chickatchiamman Kovil, he has intercepted one Chinnasamy, Sekar and Soundarapandian. The said Sekar and Soundarapandian ran away from the scene of occurrence and one Chinnasamy was caught and the police has conducted search in cotton sack and found him with possession of 4 kg of Ganja. Then the respondent police arrested the accused persons and the case has been registered as against Chinnasamy/A1, Sekar/A2 and Soundarapandian/A3. Based on the confession given by the petitioner, the petitioner is arrayed as an accused.



3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

4. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that only based on the confession given by A1, this petitioner's name was included in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl. Side), on instructions, submitted that this petitioner is the son of the first accused and the third accused is the son-in-law of the first accused and as a family, they were indulged in illicit transport of Ganja and this petitioner is having one previous case in Crime No.355 of 2019, on the file of the Kombai Police Station. He further submitted that the petitioner's earlier bail petition was dismissed on 24.03.2020 in Crl.O.P(MD)No.4801 of 2020.

6. Considering the above facts and circumstances of the case and considering the fact that the petitioner and other accused persons are in possession of 4 kg of Ganja and the petitioner's earlier anticipatory bail petition was dismissed, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the Criminal Original Petition stands dismissed.

sd/-
06/10/2020

/ TRUE COPY /

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

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

ORDER IN
CRL OP(MD) No.9523 of 2020
Date :06/10/2020