



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.9723 of 2020

Duraipandi @ Duraipandian ... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli.

Crime No.199 of 2020

... Respondent/Complainant

For Petitioner : Mr.J.Navaneetharaja, Advocate.

For Respondent : Mr.K.R.Bharathi Kannan

Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.199 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A1, apprehending arrest at the hands of the respondent police for the offence punishable under Sections 8(c) and 20(b)(ii)(A) of Narcotic Drugs & Psychotropic Substances Act, 1985 and Section 77 of Juvenile Justice (Care and Protection of Children) Act 2015, in Crime No.199 of 2020, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that on 18.07.2020, while the Sub-Inspector of Police was in the police station, he received a secret information that some persons are selling Ganja, immediately he rushed to the spot and found that the petitioner and the co-accused were selling contraband to the minor boys and on seeing the police, the petitioner ran away from the spot. Thereafter, the defacto complainant enquired the persons those who are standing in the locality and arrested one Alif Khan and Navas and both of them confessed that they are the residents of Kerala and they arrived to Thalayuthu to purchase the contraband from the petitioner to sell the same at Kerala. Further they confessed that they already transferred the advance amount to the petitioner's wife's bank



account. Thereafter, the respondent police arrested the said Alif Khan and Navas and seized a sum of Rs.38,500/- from them.

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 other accused persons, this petitioner 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 the petitioner is arrayed as A1. This petitioner and other accused persons were selling contraband to the general public.

6. Considering the above facts and circumstances of the case and considering the fact that the petitioner and other accused persons were selling contraband to the general public, 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,
THALAIYUTHU POLICE STATION, TIRUNELVELI.
2. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.9723 of 2020
Date : 06/10/2020

VSD

<https://hccvcepcrj001a.gov.in/hccservices> 20.2020/2P/3C