



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

Date : 02/11/2020

PRESENT

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

CRL OP(MD). No.12121 of 2020

Eswari

... Petitioner/Accused No.2

Vs

The State rep.by
The Sub Inspector of Police,
Cumbum North Police Station,
Theni District.
Crime No.981 of 2020.

... Respondent/Complainant

For Petitioner : Mr.M.Lingadurai,
Advocate.

For Respondent : Mr.KR.Bharathi Kannan,
Government Advocate (Crl.Side)

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

PRAYER :-For an Anticipatory Bail in Crime No. 981 of 2020 on the file of the respondent police.

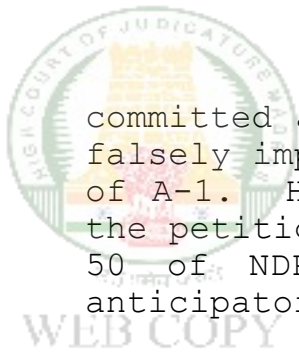
ORDER : The Court made the following order :-

The petitioner/A-2 apprehending arrest at the hands of the respondent police for the offences punishable under sections 8(c) r/w 20(b)(ii)(B) of Narcotic Drugs & Psychotropic Substances Act, 1985, in Crime No.981 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 09.05.2020 at about 12.15 hrs., near Manikatti, Alamara Road, Cumbum, on receiving a secret information, the respondent police intercepted the accused No.1 carrying a bag containing 2.00 Kgs of Ganja. The said contraband was seized by the respondent police and sample has also been taken. Hence, the complaint.

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 would submit that the petitioner is an innocent person and he has not



committed any offence as alleged by the prosecution and he has been falsely implicated in this case on the basis of confession statement of A-1. He further submitted that nothing has been recovered from the petitioner. That apart, the mandatory requirement under Section 50 of NDPS Act has not been complied with. Hence, he seeks anticipatory bail.

5. The learned Government Advocate (criminal side) appearing for the respondent police would submit that there is one previous case pending against the petitioner is similar in nature. He further submitted that there is no change in circumstances.

6. Taking note of the submission of the learned Government Advocate (criminal side) and considering the fact that there is no change in circumstances, this Court is not inclined to grant anticipatory bail.

7. Accordingly, the Criminal Original Petition stands dismissed.

sd/-
02/11/2020

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/ /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 SUB INSPECTOR OF POLICE,
CUMBUM NORTH POLICE STATION,
THENI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.12121 of 2020
Date : 02/11/2020

KSA
TK/VR/SAR.2/06.11.2020/2P/3C