



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

Date : 03/11/2020

PRESENT

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

CRL OP(MD).No.12005 of 2020

P.Sathis

...Petitioner/Accused No.4

Vs

State Rep.by
The Inspector of Police,
Keeradurai Police Station,
Madurai District.
Crime No.690 of 2019.

...Respondent/Complainant

For Petitioner : Mr.S.P.Prabakaran,
Advocate.

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

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

PRAYER :- For Anticipatory bail in Crime No.690 of 2019 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) r/w 20(b)(ii)(b) and 25 & 29(1) of Narcotic Drugs & Psychotropic Substances Act, 1985, in Crime No.690 of 2019, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that on 17.08.2019 at 08.00 a.m. the respondent police went to the spot at Madurai Town, Keeradurai Chinthamani Main Road, Near Old Police Station, Crackpots and the respondent police stopped the Swift Dzire White Colour Car bearing Registration No.TN-04-7725 and enquired A1 to A3. But in their reply there was controversy, so the respondent police searched the Car and found that 1 big plastic total weighing 5.250 kgs contraband. After seizing the contraband, the respondent police registered a case as against the petitioner and three another.



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.

5.The learned Government Advocate (Crl.Side), on instructions, submitted that this petitioner is arrayed as A4. This petitioner and other accused persons are in possession of 5.250 Kgs of Ganja. He further submitted that the petitioner is also having three previous cases, in which two cases are similar in nature under NDPS Act in Crime Nos.423 of 2013 and 110 of 2014 and another IPC offence in Crime No.1037 of 2009 and he strongly opposed to grant anticipatory bail to the petitioner.

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 5.250 Kgs of Ganja, and the petitioner is also having three previous cases, in which two cases are similar in nature under NDPS Act, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the Criminal Original Petition stands dismissed.

sd/-
03/11/2020

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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 INSPECTOR OF POLICE,
KEERADURAI POLICE STATION, MADURAI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.12005 of 2020
Date :03/11/2020