



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

Date : 04/12/2020

PRESENT

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

CRL OP(MD) . No.13976 of 2020

M.Durairaj

... Petitioner/Accused No.2

Vs

State Rep.by,
The Inspector of Police,
Thoothukudi NIB CID
Thoothukudi District
Crime No.18/2020.

... Respondent/Complainant

For Petitioner : Mr.S.Madhusudanan,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.18/2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/A2, was arrested and remanded to judicial custody on 16.08.2020, for the offence under Sections 8 r/w 20(b)(ii)(c), 25 and 29(1) of the NDPS Act, in Crime No.18 of 2020 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in possession of 25.235 kgs of Ganja. After completing all the formalities and taking the statement of the second accused and also arresting him, he was brought to the Station and Crime No.18 of 2020 was registered for the offences under Sections 8 r/w 20(b)(ii)(c), 25 and 29(1) of the NDPS Act.

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 and he has been falsely implicated in this case. The petitioner is not having any bad antecedent and hence, he prayed for grant of anticipatory bail to the petitioner.

5.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that at the time of seizure, the contraband was seized from the petitioner and other accused persons. He further submitted that there are four previous cases pending against the petitioner.

6.Considering the facts and circumstances of the case and also considering the quantity and the fact that the contraband was seized from the petitioner and other accused persons and there are four previous cases pending against the petitioner, this Court is not inclined to grant bail to the petitioner.

7.Accordingly, this criminal original petition stands dismissed.

sd/-
04/12/2020

/ 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 CENTRAL PRISON, PUZHAI, CHENNAI
- 2.THE INSPECTOR OF POLICE,
THOOTHUKUDI NIB CID, THOOTHUKUDI DISTRICT
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.13976 of 2020
Date :04/12/2020

vsg

<https://hccr.certh.org/Service/16> 04.12.2020 : 2P/4C