



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

Date : 17/12/2020

PRESENT

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

CRL OP(MD) . No.15041 of 2020

1.Saba @ Sabarathinam
2.Asha Nagamurugan @ Asha Nagarajan ... Petitioners/Accused
Nos.4 & 9

Vs.

State rep.by,
The Inspector of Police,
Subramaniapuram Police Station,
Madurai City.
(Crime No.1453 of 2020) ... Respondent/Complainant

For Petitioners : Mr.V.Santhakumaresan,
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.1453 of 2020 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who are arrayed as A4 & A9, apprehending arrest at the hands of the respondent police for the offence punishable under Sections 8(c),20(b)(ii)(c), 25 and 29(1) of Narcotic Drugs & Psychotropic Substances Act, 1985, in Crime No.1453 of 2020, on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner herein handed over Ganja to A1 and A2 and instructed them to hand over the same in Madurai. At the time of travelling, on suspicion, the respondent police intercepted and arrested A1 and A2. Based on the confession, the petitioners herein were implicated.

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

4.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not



committed any offence as alleged by the prosecution.

5.The learned Government Advocate (Crl.Side), on instructions, submitted that the petitioners are arrayed as A4 & A9. The petitioners and other accused persons are in possession of 332 Kgs of Ganja, which is more than the commercial quantity and A1 and A2 were already arrested and remanded to judicial custody. He further submitted that the first petitioner is also having eleven previous cases and the second petitioner is also having six previous cases similar in nature under NDPS Act and he strongly opposed to grant anticipatory bail to the petitioners.

6.Considering the above facts and circumstances of the case and considering the fact that the petitioners and other accused persons are in possession of 332 Kgs of Ganja, which is more than the commercial quantity and the first petitioner is also having eleven previous cases and the second petitioner is also having six previous cases similar in nature under NDPS Act, this Court is not inclined to grant anticipatory bail to the petitioners.

7.Accordingly, the Criminal Original Petition stands dismissed.

sd/-

17/12/2020

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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,
SUBRAMANIAPURAM POLICE STATION, MADURAI CITY.

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

ORDER

IN

CRL OP(MD) No.15041 of 2020

Date :17/12/2020

vsd

PK/JC/SAR-IV/23.12.2020 : 2P/3C

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