

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Sixteenth day of February Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.2421 of 2021

MADHAIYAN

[PETITIONER/SOLE ACCUSED]

Vs

THE INSPECTOR OF POLICE
PENNAGARAM POLICE STATION,
CRIME NO.1288/2020,
DHARMAPURI DISTRICT.

[RESPONDENT/COMPLAINANT]

For Petitioner : M/S.R.PRABAKAR Advocate

For Respondent : M/S.S.KARTHIKEYAN Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 8 (b) r/w 20(a)(i) of Narcotic Drugs and Psychotropic Substance Act, 1985 in Crime No.1288 of 2020, seeks anticipatory bail.

2. The petitioner is the sole accused in this case. It is alleged that the respondent police conducted the investigation in the petitioner's farm and found 22 ganja plants and after following the procedural formalities removed all the Ganja plants and also seized 350 grams of ganja leaves. Hence, the case came to be registered.

3. The learned counsel for the petitioner would submit that the respondent police have removed 22 unknown plants and destroyed the same and nothing was seized from the farm. He would further submit that the respondent have violated Section 55 of NDPS Act. Hence he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that in the petitioner's farm they found 22 ganja plants and after following the procedural formalities they seized and destroyed the same and registered the case after adopting mandatory regulations. Hence, he vehemently opposed to grant anticipatory bail to the

petitioner.

5. I have considered rival submissions. On perusal of records it is seen that the petitioner is cultivating ganja in his agricultural land and 350 grams of ganja leaves was seized from his land, this is not a fit case to grant anticipatory bail.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
16/02/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
PENNAGARAM POLICE STATION,
DHARMAPURI DISTRICT.

2 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

CC to R.PRABAKAR Advocate on payment of necessary charges

CRL OP.2421/2021

Date :16/02/2021

EP-03/03/2021

WEB COPY