

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Eighth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.6806 of 2021

P.KASIRAJAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP. BY [RESPONDENT]
THE SUB INSPECTOR OF POLICE,
TIRUPPUR RURAL POLICE STATION,
TIRUPPUR CITY DISTRICT.
CRIME NO.262 OF 2021.

For Petitioner : M/S.N.S.SUGANTHAN Advocate

For Respondent : MR.K.PRABAKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 8(c), 20(b)(ii)(c), 25 & 29(1) of the Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No.262 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that totally 60 kgs of Ganja were seized by the respondent. On 25.03.2020, during vehicle inspection, the respondent police found 2 kgs of ganja with A1 and A1 was arrested. The further case of the prosecution that A1 is doing business of selling Ganja in Car along with the petitioner/A2. Based on the confession, the respondent police seized 58 kgs of Ganja recovered from the car belonging to A2, who is the petitioner herein. Hence, the present complaint has been registered.

3.The learned counsel appearing for the petitioner submit that the petitioner has not committed any offence as alleged by the prosecution. Based on the confession statement of A1, he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor submits that the entire contraband was seized from the vehicle and not seized from the petitioner. He would further submit that apart from this case, there are three previous cases pending against the petitioner similar in nature. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts of the case and the nature of offence committed by the petitioner and also three previous cases pending against the petitioner and that investigation of the case is still underway, this Court is of the opinion that it would not be justiciable to grant anticipatory bail to the petitioner at this point of time.

6.Accordingly, this Criminal Original Petition is dismissed.

-sd/-

08/04/2021

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 SUB INSPECTOR OF POLICE,
TIRUPPUR RURAL POLICE STATION,
TIRUPPUR CITY DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.N.S.SUGANTHAN Advocate on payment of necessary charges SR.NO.4706

CRL OP.6806/2021

Date :08/04/2021

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