

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Seventh day of January Two Thousand Twenty One

PRESENT

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.20110 of 2020

SUDHAKAR

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
NIB CID POLICE STATION,
COIMBATORE.

CRIME NO.47 OF 2020.

For Petitioner : M/S. R.PRABUDOSS Advocate

For Respondent : MR. S.KARTHIKEYAN, 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 offence under Section 8(c) and 20 (b)(ii)(B) of Narcotic Drugs & Psychotropic Substances Act, in Crime No.47 of 2020, seeks anticipatory bail.

2. There are totally two accused in this case and the petitioner is A2. The allegation is that the petitioner and another accused were found in possession of 1.5 kgs of Ganja. The respondent, after following the mandatory provisions, seized the contraband. Based on the confession of A1, it came to light that the petitioner had purchased ganja and instigated A1 to sell the same and thereby, the petitioner was made as an accused.

3. The learned counsel for the petitioner would submit that the entire contraband has been seized from A1 and the petitioner has nothing to do with the alleged offence and due to personal enmity, a false case has been foisted against the petitioner. Hence, he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor would submit that the petitioner is son of A1 and the confession of A1 clearly says that the petitioner had only purchased the ganja and he only instigated A1 to sell the same. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, it is not a fit case to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-
27/01/2021

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,
NIB CID POLICE STATION,
COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. R. PRABUDOSS Advocate on payment of necessary charges

CRL OP.20110/2020

Date : 27/01/2021

MK:09/02/2021

सत्यमेव जयते
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