



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 12/05/2021

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN
CRL OP(MD) . No.6759 of 2021

WEB COPY

Pandeeswaran

... Petitioner/Accused No.6

Vs

1.The State rep by
The Inspector of Police,
Cumbum North Police Station,
Theni District
(Crime No. 909/2020)

Now the Case has been Transferred to NIBCID,
Theni as Crime No. 42/2020).

2. The State rep by
The Inspector of Police,
NIBCID, Police Station,
Theni District.

... Respondent/Complainant

For Petitioner : Mr.S.Prabhu,
Advocate.

For Respondent : Mr.R.Srinivasan,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No. 42 of 2020 on the
file of the respondent Police

ORDER : The Court made the following order :-

The petitioner/Accused No.6, who apprehends arrest at the
hands of the respondent police for the alleged offences under
Sections 8(c), 20(b)(ii)(C), 25 and 29(1) of NDPS Act and Section
269 of IPC and Section 3 of Epidemic Diseases Act and Section 51(b)
of Disaster Management Act, in Crime No.42 of 2020, seeks
Anticipatory Bail.

2.The case of the prosecution is that on 16.06.2020, based on
the secret information, the respondent police conducted a raid at
New Bypass road, Kattuva Pallivasal, at that time, the petitioner
and other accused were found in possession of 23 Kgs of Ganja.
Hence, the case has been registered for the offences as stated
above.



3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) submitted that there are seven accused and the petitioner is arrayed as A6. Except A3, all the other accused are still in custody. He further submitted that the petitioner is having seven previous cases and investigation has been completed and charge sheet has been filed and the same has been taken on file in C.C.No.308 of 2020. He further submitted that the contraband seized from the accused is commercial quantity and therefore, he opposed this bail petition.

5. Considering the facts and circumstances of the case and also considering the fact that the contraband in question is 23 Kgs of Ganja, which is a commercial quantity and the petitioner is having seven previous cases, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this Criminal Original Petition is dismissed.

Sd/-
12/05/2021

/ TRUE COPY /

/ /2021
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,
CUMBUM NORTH POLICE STATION,
THENI DISTRICT.
2. THE INSPECTOR OF POLICE,
NIBCID, POLICE STATION
THENI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.6759 of 2021
Date :12/05/2021

Ls/VSM

<https://hccs.ecs.gov.in/csr/05.2021/2P/4C>