



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/05/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.6844 of 2021

Kasthuriyappa

... Petitioner

Vs

State rep.by
The Inspector of Police,
Kaliyakavilai Police Station,
Kanyakumari District.
Crime No.154 of 2021.

... Respondent

For Petitioner : Mr.G.V.Vairam Santhosh,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

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

PRAYER :- For Anticipatory Bail in Crime No.154 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 8(c) and 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.154 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 27.04.2021, on secret information, when the respondent police rushed to the place of occurrence, they found that one Yasar and two others having 1.5 kgs of Ganja. The accused persons ran away of the scene of occurrence. Hence, the case has been registered by the respondent police.

3.The learned counsel for the petitioner submits that the petitioner is aged about 62 years and he is no way connected with the alleged incident. He would further submit that the petitioner is suffering from chronic tuberculosis, diabetic mellitus and perianapular cancer.



4.The learned Additional Public Prosecutor, submits that the accused persons have possessed huge quantity of contraband materials. He would further submit that for the purpose of granting anticipatory bail, the petitioner have to satisfy the requirements of Section 37 of the NDPS Act.

5.The learned counsel for the petitioner submits that the petitioner is an aged person and he is also suffering from some ailments. But, it cannot be considered at this stage, since he has not satisfied the requirements under Section 37 of the NDPS Act. I find no merit in this case. Considering the quantity of contraband that has been seized, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is dismissed.

sd/-

19/05/2021

/ 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,
KALIYAKAVILAI POLICE STATION,
KANYAKUMARI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.6844 of 2021

Date :19/05/2021

RM/TSG

AE/PN/SAR-III/26.05.2021/2P/3C