



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.6795 of 2021

1. Prasanna
2. Rajesh

... Petitioners/Accused No.2 and 3

Vs

State Rep.by
The Inspector of Police,
Pattiveeranpatti Police Station,
Dindigul District.
Crime No.288 of 2021

... Respondent/Complainant

For Petitioners: Mr.S.Sivaprakash,
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.288 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 8(c) and 20(b)(ii)(c) and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.288 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 02.05.2021 at about 3.30 a.m., when the respondent along with other police officers under the surveillance, near Sitharevu Panchayat Office, they found that the petitioners along with A1 having possession of some plastic big sock with 22 kgs of Ganja in their two wheeler bearing registration No.TN 57 BJ 8413, Bajaj CT 100. Hence, the case has been registered before the respondent police.

3.The learned counsel for the petitioner submits that due to previous motive, the petitioners were implicated in this case. He would further submit that the petitioners have no previous bad antecedents. The learned counsel further submits that there is no



independent witness in this case and the complainant has been lodged only by the police officials.

4.The learned Additional Public Prosecutor, submits that in this case, A1 was arrested and on his confession the other accused persons were implicated in this case and they have possessed huge quantity of contraband materials. He would further submit that for the purpose of granting anticipatory bail, the petitioners have to satisfy the requirements of Section 37 of the NDPS Act.

5.The question as to whether the occurrence took place or not or independent witnesses were present or not, is the matter of consideration at the time of trial. But, the petitioner has to satisfy the requirements under Section 37 of the NDPS Act.

6.I find no merits in this case. Considering the quantity of contraband that has been seized, this criminal original petition deserves to be dismissed and accordingly, 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,
PATTIVEERANPATTI POLICE STATION,
DINDIGUL DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.6795 of 2021
Date :19/05/2021

TM/TSG
MS/MNR/SAR-3/26.05.2021/2P.3C