



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 22/06/2021

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.7444 of 2021

Muniyandi

... Petitioner/Accused No.2

Vs

The State
Rep. by Inspector of Police,
Cumbum North Police Station,
Theni.
(Crime No. 66 of 2021).

... Respondent/Complainant

For Petitioner : Mr.S.Vishnuvarathan,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

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

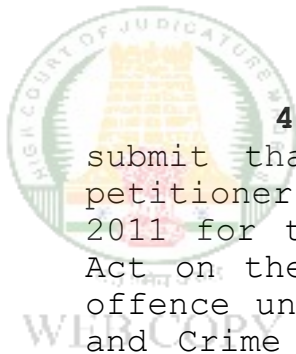
PRAYER :- For Anticipatory Bail in Crime No.66 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 8(c) r/w 20 (b)(II) and 29(1) of NDPS Act, 1985 in Crime No.66 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 14.02.2021, based on the secret information, the respondent police conducted a raid in the occurrence place and at that time, the petitioner and others were found in possession of 8 kgs of Ganja. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that Accused No.1 in this case has already been released on bail by the Court below. The contraband involved in this case is below commercial quantity. Hence, he prays to grant anticipatory bail to the petitioner.



4.The learned Government Advocate (criminal side) would submit that there are 8 previous cases are pending against the petitioner namely Crime Nos. 7 of 2020, 84 and 79 of 2012 and 74 of 2011 for the offences under Section 8(C) r/w 20(b) II (A) of NDPS Act on the file of NIB CID Theni and Crime No.62 of 2020 for the offence under Section 8(C) r/w 20(b) II (B) 29(i), 25 of NDPS Act and Crime Nos. 452 of 2009, 57 of 2012 and 169 of 2014 for the offence under Section 8(c) r/w 20(b) II (B), 25, 8(c) r/w 20(b) II (c) and 8 (c) r/w 20(b) II (c) of the NDPS Act respectively on the file of the respondent police. He would further submit that investigation is pending. Therefore, he strongly opposes to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and the fact that 8 previous cases which are similar in nature pending against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

22/06/2021

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/ /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.

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

ORDER

IN

CRL OP(MD) No.7444 of 2021

Date :22/06/2021

msa

AE/PN/SAR-II/28.06.2021/2P/3C