



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 27.10.2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI
Crl.OP(MD)Nos.11089 & 11090 of 2021

TAMIM ANSARI

... PETITIONER / ACCUSED NO.8
IN CRL OP(MD)No.11089/2021

MANIKANDAN

... PETITIONER / ACCUSED NO.9
IN CRL OP(MD)No.11090/2021

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
AVANIYAPURAM POLICE STATION,
MADURAI CITY, MADURAI.
CRIME NO.668 OF 2021

... RESPONDENT / COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner : Mr.S.SUKUMAR, Advocate.
In both the petitions.

For Respondent : Mr.T.SENTHILKUMAR,
Additional Public Prosecutor
In both the petitions.

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

Common Prayer in Crl.OP(MD)Nos.11089 & 11090 of 2021:

For Anticipatory bail in Crime No. 668 of 2021 on the file of the Respondent police.

COMMON ORDER : The Court made the following order :

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 8(c), 20(b)(ii)(c), 25, 29(1) and 25(1A) of NDPS Act, in Crime No.668 of 2021, seek anticipatory bail.

2.The prosecution case is that the petitioners and other accused were found in illegal possession of 190 kgs of Ganja. Hence, the complaint.

3.Learned Counsel appearing for the petitioners submitted that the petitioners are innocents and have not committed any offence as alleged by the prosecution. He further submitted that the petitioners have been roped-in as accused based on the confession statement of the co-accused and that the petitioners are ready to co-operate for the investigation.



4. Learned Additional Public Prosecutor, on the other hand, submitted that the petitioners are having specific role in the commission of offence and that the investigation is at the crucial stage.

5. Since the investigating agency has not collected any materials other than the confession statement against the petitioners and taking into account the submission made by the petitioners' Counsel, this Court, by order dated 24.09.2021, has granted interim anticipatory bail to the petitioners and directed them to appear before the respondent police and co-operate for the enquiry.

6. Today, the learned Additional Public Prosecutor, on instructions, submitted that though the petitioners appeared before the respondent police, they did not co-operate for the enquiry. During the course of enquiry, the petitioners have produced certain phone numbers, which, on enquiry, found to be bogus ones.

7. In view of the conduct of the petitioners in obtaining an interim order of protection by submitting that they would co-operate for the investigation and thereafter, not complying with the same; and coupled with the quantity of the contraband involved and the provisions under Section 37 of the NDPS Act, this Court is not inclined to entertain these applications.

Accordingly, both the application stand dismissed.

sd/-

27/10/2021

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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
AVANIYAPURAM POLICE STATION, MADURAI.

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

ORDER IN

CRL OP(MD) No.11089&11090 of 2021
Date : 27/10/2021

SA/VR/SAR.4/08.11.2021/2P/3C

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