



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
(Criminal Jurisdiction)  
Date : 24.09.2021  
PRESENT

WEB COPY

**The Hon`ble Mr.Justice B.PUGALENDHI**

CRL OP(MD)No.11115 of 2021

T.Sivan

... Petitioner/2<sup>nd</sup> Accused

**Vs**

The State represented by  
The Inspector of Police,  
Vadaseri Police Station,  
Nagercoil, Kanyakumari District.  
(Crime No.447 of 2021)

... Respondent/Complainant

For Petitioner : Mr.L.GEORGE PAUL ANTO, Advocate  
For Respondent : Mr.T.SENTHILKUMAR,  
Additional Public Prosecutor(crl.side)

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

**PRAYER :-**

For Anticipatory Bail in Crime No.447 of 2021 on the file of the respondent Police.

**ORDER :** The Court made the following order :

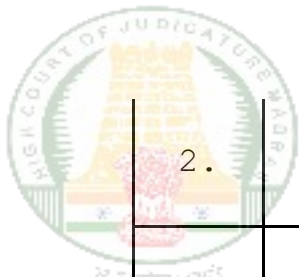
The petitioner apprehending arrest for the offence under Sections 8(c) and 20(b)(ii)(B) of the NDPS Act, 1985 in Crime No.447 of 2021 seeks anticipatory bail.

2.The prosecution case is that based on a tip-off, on 08.07.2021 around 6.00pm, the officials went to a particular place and they found this petitioner in possession of 1.250 Kg of ganja.

3.The learned Counsel for the petitioner submitted that the petitioner was not at all present in the place of occurrence and this is a foisted case.

4.The learned Additional Public Prosecutor submitted that this petitioner is the main accused and the seized ganja were meant for selling to the students and youths in Nagercoil. Apart from this case, the petitioner has involved in the following cases:

| S1. No. | Details                                        | Sections of Law         |
|---------|------------------------------------------------|-------------------------|
| 1.      | Crime No.29 of 2018<br>Vadaseri Police Station | 4(1)(a) of the TNP Act. |



|    |                                                 |                                                                |
|----|-------------------------------------------------|----------------------------------------------------------------|
| 2. | Crime No.364 of 2018<br>Vadaseri Police Station | 75 of TNCP Act                                                 |
| 3. | Crime No.95 of 2018<br>PEW-Nagercoil            | 4(1)(k) TNP Act                                                |
| 4. | Crime No.144 of 2018<br>PEW-Nagercoil           | 4(1)(k) TNP Act                                                |
| 5. | Crime No.204 of 2019                            | 399 IPC and 20(b)(2)(a) and<br>8(c) NDPS Act                   |
| 6. | Crime No.13 of 2020                             | 294(b), 353, 506(iii) IPC<br>and Section 3(i) of TNPPDL<br>Act |
| 7. | Crime No.16 of 2020                             | 294(b), 342, 324 and 506<br>(ii) IPC                           |
| 8. | Crime No.8 of 2020                              | 4(1)(aaa) of TNP Act                                           |
| 9. | Crime No.803 of 2021                            | 20(b)(2)(a) and 8(c) of<br>NDPS Act                            |

3.Considering the antecedents of the petitioner that he is involved in nine other cases, of which four cases are similar in nature and also considering the seriousness of the offence in the present case, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this petition stands dismissed.

sd/-

24/09/2021

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

**ORDER IN**

CRL OP(MD) No.11115 of 2021

Date :24/09/2021

SA/JM/SAR.1/05.10.2021/2P/3C