



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/10/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.12096 of 2021

J.Pavithra,

... Petitioner/Accused No.2

Vs

State Rep by
The Inspector of Police,
Cumbum North Police Station,
Theni District.
(Crime No.622 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Jegadeeshpandian.M,
Advocate.

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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

PRAYER :-

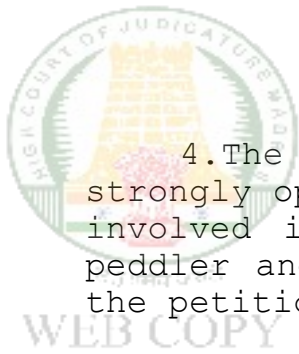
For Anticipatory Bail in Crime No.622 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 8(C) r/w 20(b)(ii)(B) and 29(1) of NDPS Act, 1985 in Crime No.622 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons were found in illegal possession of 2 Kgs of Ganja. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner has been arrayed as accused based on the confession statement of the co-accused and that there is no other material available with the prosecution to implicate the petitioner in the offence.



4.The learned Additional Public Prosecutor for the respondent strongly opposed this petition on the ground that the petitioner has involved in one previous case of similar in nature and he is a peddler and having business in Kerala as well as in Tamil Nadu and the petitioner's husband has also involved in four cases.

5.Considering the fact that apart from the confession statement of co-accused, no other material is available against the petitioner, this Court by an earlier order dated 24.09.2021, granted interim protection to the petitioner enabling her to appear before the respondent police upto 04.10.2021 and co-operate for the enquiry and also directed the respondent police to file a report before this Court on the next hearing.

6.Today i.e on 20.10.2021, when the matter is taken up for hearing, the respondent Police has filed a status report before this Court, wherein it is stated that despite the earlier order of this Court, the petitioner did not appear before respondent police for enquiry.

7.Considering the conduct and bad antecedent of the petitioner and also the fact that the petitioner is residing in Kerala and having business in Kerala, this Court is not inclined to grant anticipatory bail to the petitioner.

8.Hence, this Criminal Original Petition is dismissed.

sd/-
20/10/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

cp

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 District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER IN
CRL OP(MD) No.12096 of 2021
Date : 20/10/2021

TR/JM/SAR-IV(28.10.2021) 3P 3C