



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

Date : 01/11/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.16841 of 2021

WEB COPY

Regu ... Petitioner/Accused No.7
Vs

The State Rep.by
The Inspector of Police,
Kadaiyalumoodu Police Station,
Kanyakumari District.
Cr.No. 114 of 2020. ... Respondent/Complainant

For Petitioner : M/s.Subash Babu M,
Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.114 of 2020 on the file of the Respondent Police.

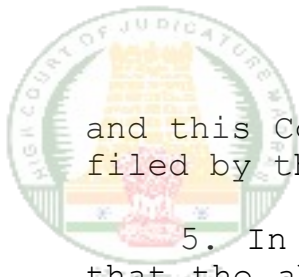
ORDER : The Court made the following order :-

The petitioner, who was arrested on 07.10.2020 for the offence punishable under Sections 8(c), 20(b)(ii)(c) and 25 of NDPS Act in Crime No.114 of 2020, seeks bail.

2. The case of the prosecution is that on secret information, the respondent Police went to the occurrence place. At that time, the informer had shown three two wheelers and when the police officials waylaid the above vehicles, the accused No.1, who is a pillion rider, escaped from a bike, on seeing the police officials. However, the police officials caught hold of the other six accused persons and recovered 28 kgs of Ganja from them.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is in prison from 07.10.2020, therefore, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent Police opposed for grant of bail on the ground that this application has been filed as if it is the first application. But, this petitioner has already moved bail application before this Court



and this Court, by order dated 13.04.2021, dismissed the application filed by the petitioner.

5. In response, the learned counsel for the petitioner submits that the above said fact has been suppressed to him, at the time of filing the bail application.

6. Considering the conduct of the petitioner in suppressing the earlier application filed by him, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, liberty is granted to the petitioner to file a fresh application by incorporating all the particulars.

sd/-

01/11/2021

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/ /2021

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

ssb

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,
Kadaiyalumoodu Police Station,
Kanyakumari District.
2. The Superintendent, Central Jail, Palaiyamkottai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.SUBASH BABU, Advocate (SR-7839[I] dated 02/11/2021)

ORDER

IN

CRL OP(MD) No.16841 of 2021

Date :01/11/2021

RD/TR/SAR-II (11.11.2021) 2P 5C