



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/11/2021

WEB COPY

PRESENT

The Hon'ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD).No.18065 of 2021

Sivasakthi

... Petitioner/Accused No.2

Vs

State rep.by

The Inspector of Police,
Subramaniapuram Police Station,
Madurai City.

(Crime No.443 of 2021)

... Respondent/Complainant

For Petitioner : M/s.Sathish Kumar.K, Advocate.

For Respondent : M/s.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory bail in Crime No.443 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A2, apprehending arrest at the hands of the respondent police for the offence punishable under Sections 8(c) and 22(b) of Narcotic Drugs & Psychotropic Substances Act and Section 328 IPC, in Crime No.443 of 2021, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that on 08.08.2021, at about 9.00 a.m., when the defacto complainant along with police officials were in usual check-up, the accused No.1 was found in suspicious manner. After seeing the police officials, A1 tried to escape from the place and the police officials secured A1 and found that he was in possession of 25 tablets of Nitrazepam Tablets IO, Nitravet - 10. Hence, the de-facto complainant arrested the first accused and obtained confession statement from him. As per confession statement, he purchased the above said tablets from the second accused. Hence the complaint.



3.The learned Counsel appearing for the petitioner submitted that only based on the confession of A1, this petitioner has been falsely implicated in this case and the tablets were recovered only from A1. He further submitted that the petitioner and A1 are studying in the same college. Since the petitioner is the friend of A1, he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.Side), on instructions, submitted that respondent has already arrested A1 and was released on bail and that the tablets were recovered from A1. He further submitted that this petitioner is a main supplier and he gave some tablets to A1 for selling and hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the seriousness and gravity of the charges levelled against the petitioner and also the fact that the petitioner is said to be the main supplier of the drugs and that the investigation is still pending, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the Criminal Original Petition stands dismissed.

Sd/-
18/11/2021

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

vsd

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,
Subramaniapuram Police Station,
Madurai City.

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

ORDER
IN
CRL OP(MD) No.18065 of 2021
Date :18/11/2021