



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.18199 of 2021

Balamurugan

... Petitioner/Accused No.3

Vs

The State rep by
The Inspector of Police,
Alwarthirunagari Police Station,
Thoothukudi District.
Crime No.168 of 2021

... Respondent/Complainant

For Petitioner : Mr.Narayanakumar.K.P,
Advocate.
For Respondent : Mr.R.Meenaksi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory bail in Crime No.168 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 8(c) AND 20(b)(ii)(b) Of NDPS Act 1985, in Crime No.168 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 8.400 Kgs of Ganja. Hence, the complaint.

3.Learned Counsel for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution, but, a false case has been foisted as against him.

4.Learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner along with other



accused was found in illegal possession of 8.400 Kgs of Ganja and hence, the case was registered. He further submitted that the petitioner is having Seven previous cases to his credit and the petitioner is the habitual offender.

The details of the previous cases are as follows:

S.No	Crime No.	Offences
1.	241/2021	341 of IPC 3(1) of PPDL Act @ 294(b), 341, 364, 506(ii) of IPC and Section 3(1) of TNPPDL Act.
2.	325/2016	379 of IPC and Section 3(1) of PPDL Act & 21(1) of MMDR Act
3.	288/2016	107 of Cr.P.C
4.	144/2016	294(b), 323, 503(ii) of IPC 3(1) of TNPPDL Act and Section 4 of TNPWH Act
5.	101/2016	153A of IPC 4(1) of TNPPDL Act
6.	102/2015	147, 148, 302 of IPC Section 3(2)(v) SC/ST act @ 120B, 147, 148, 149, 302 of IPC 3(2) (V) SC/ST Act
7.	77/2016	279, 337, 379 of IPC @ 279, 338 of IPC

5. Considering the nature of offence, the antecedents of the petitioner and the gravity of the offence committed by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
06/12/2021

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA

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,
ALWARTHIRUNAGARI POLICE STATION,
THOOTHUKUDI DISTRICT.

WEB COPY

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

ORDER

IN

CRL OP (MD) No.18199 of 2021

Date : 06/12/2021

VB/JC/SAR-I/05.01.2022/3P/3C