



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Ninth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.4048 of 2022

MARISAMY K. @ PADAIYAPPA

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
BAZAAR POLICE STATION,
COIMBATORE DISTRICT.
CR.NO.544 OF 2021.

[RESPONDENT]

For Petitioner : M/S.R.VIVEKANANTHAN Advocate

For Respondent : MR.L.BASKARAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

When the matter listed on 03.03.2022, this Court was of the view that the petitioner could be granted bail. However, on a perusal of the papers, this Court finds that the contraband seized is 516 of Kgs kanja, which is commercial quantity. Hence, this Court directed the Registry to post the matter today under the caption "for clarification".

2. The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 6(a) r/w 24 (1) of COTPA Act, 2003 and Section 77 of Juvenile Justice (Care and Protection) Act, 2015, in Crime No.544 of 2021, on the file of the respondent police, seeks anticipatory bail.

3.The case of the prosecution is that when the respondent police was on regular checkup, they found that the petitioner was in possession of 516 kgs of ganja. Hence the complaint.



4. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and prays for grant of bail to the petitioner.

5. The learned Government Advocate (Crl.side) submitted that the petitioner is having illegal possession of 516 Kgs of Ganja (Narcotic drugs). He further submits that there is a commercial quantity. Hence, he vehemently opposed for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering the gravity of offence committed by the petitioner, if he released on bail he may tamper the evidence and further there is no change of circumstances after the dismissal of the petitioner's earlier bail petition, this court is not inclined to grant bail to the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
09/03/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
BAZAAR POLICE STATION,
COIMBATORE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.VIVEKANANTHAN Advocate on payment of necessary charges SR.NO.3227

CRL OP.4048/2022

Date :09/03/2022

TA-16/03/2022