



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/01/2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.109 of 2022

Selvamani

... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Melur Police Station,
Madurai District.
Cr.No. 195 of 2021.

... Respondent/Complainant

For Petitioner : M/s.Ayyanar Premkumar S,
Advocate.

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

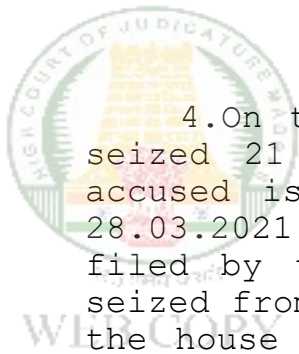
For Anticipatory Bail in Crime No.195 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2 apprehending arrest at the hands of the respondent police for the offences punishable under sections 8 (c), 20(b)(ii)(c) of Narcotic Drugs and Psychotropic Substance Act, in Crime No.195 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case against the petitioner is that he along with another accused indulged in selling ganja. A case in Crime No.195 of 2021 was registered against the petitioner.

3.On the side of the petitioner, it is stated that the petitioner is A2 in the case. The petitioner is working as a daily wage employee. There is no previous case against the petitioner. Only based on the confession of A1, the petitioner was implicated in the case and prayed the petitioner to be released on anticipatory bail.



4. On the side of the respondent, it is stated that the police seized 21 kilograms of Ganja from the first accused. The first accused is the mother of the petitioner and she was arrested on 28.03.2021 and the petitioner is absconding. The earlier petition filed by the petitioner was dismissed. 4 kilograms of ganja was seized from the co-accused and 17 kilograms of ganja was seized from the house of the petitioner. The petitioner has not complied with the two conditions under Section 37 of NDPS Act to consider the anticipatory bail and prayed the petition to be dismissed.

5. Considering the submissions made by both the parties and considering the quantity of the contraband, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-

06/01/2022

/ TRUE COPY /

/ /2022

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

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,
Melur Police Station,
Madurai District.

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

+1 CC to M/s.S.AYYANAR PREMKUMAR, Advocate (SR-158[I] dated 10/01/2022)

ORDER

IN

CRL OP(MD) No.109 of 2022

Date : 06/01/2022

RS/JC/SAR.4(10.01.2022) 2P-4C

<https://hcservices.ecourts.gov.in/hcservices/>