



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

Date : 06/01/2022

PRESENT

The Hon'ble Mrs.Justice R.THARANI

CRL OP(MD). No.118 of 2022

M.KARANTHAMALAI

... PETITIONER/ACCUSED

VS

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
MANDALA MANICKAM POLICE STATION,
RAMANATHAPURAM.
(CRIME NO. 179 OF 2021).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s. Sevugaraja.R., Advocate.
For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 179 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused apprehending arrest at the hands of the respondent police for the offences punishable under sections 80(c), 20(b)(ii)(b), 29(1) of NDPS Act, in Crime No.179 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case against the petitioner is transporting Narcotic Substances in a two wheeler bearing Registration No.TN 65 U 8818.

3.On the side of the petitioner, it is stated that the petitioner is A3 in this case. The only allegation against the petitioner is that he run away from the spot. Actually the petitioner was a witness. But he was implicated as an accused. There is no previous case against the petitioner and prayed the petitioner to be released on anticipatory bail. Co-accused were already released on bail.

4.On the side of the respondent it is stated that A1 and A2 were remanded and they were released on bail. A3 is having previous case in Crime NO.84 of 2021, which is not similar in nature and prayed the petition to be dismissed.



5. On the side of the petitioner it is stated that only to alter the jurisdiction of the Court, the case was registered as if there was transport of 1.100 Kgs. of Narcotic substances. Actually the offence is triable only before the learned Judicial Magistrate and not before the Special Court.

6. Considering the submissions made by both parties and considering the fact that the co-accused were released on bail only after the remand, this Court is not inclined to allow this petition. 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,
MANDALA MANICKAM POLICE STATION,
RAMANATHAPURAM.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.118 of 2022
Date :06/01/2022

USK/PN/SAR-IV/10.01.2022/2P/3C