



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/01/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.975 of 2022

Baskar,

... Petitioner/Accused

Vs

The State Rep. by,
The Inspector of Police,
Suthamalli Police Station,
Tirunelveli.
(Crime No.87/2021).

... Respondent/Complainant

For Petitioner : MR.N.Shyllappa Kalyan, Advocate.

For Respondent : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

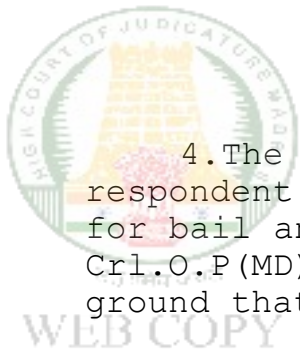
For Bail in Crime No.87/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent Police for the offence punishable under Sections 8(C), r/w 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.87 of 2021, seeks bail.

2.The case of the prosecution is that on 12.02.2021, the petitioner was found in possession of 1.300 kgs of Ganja. Hence, the case has been registered against the petitioner.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that apart from the confession statement of the co-accused, no other material is available against the petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent police would submit that this is the second application for bail and the earlier bail application filed by the petitioner in Crl.O.P(MD).No.14702 of 2021 was dismissed on 04.10.2021 on the ground that the petitioner is having thirty three previous cases.

5. It appears that this is the second application for bail. The earlier bail Petition filed in Crl.OP(MD)No. 14702 of 2021 was dismissed as against the petitioner on 04.10.2021 on the ground that petitioner is having thirty three cases to his credit. Now, this application is filed by the petitioner without referring the change of circumstances to consider the case.

6. Since there is no change of circumstance and considering the antecedents of the petitioner, this Court is not inclined to entertain this Criminal Original Petition and the same is accordingly dismissed.

sd/-
27/01/2022

/ TRUE COPY /

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

ssb

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 SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.
- 2 THE INSPECTOR OF POLICE,
SUTHAMALLI POLICE STATION, TIRUNELVELI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.975 of 2022
Date :27/01/2022

PKP/PN/SAR-2/28.02.2022/2P/4C