



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 10.02.2022

PRESENT

The Hon'ble Mrs.Justice R.THARANI
CRL OP(MD) . No.2841 of 2022

WEB COPY

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 Petitioners : Mr.R.SEVUGARAJA, Advocate.
For Respondent : Mr.R.SURESH KUMAR
Government Advocate (Crl. Side)

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

PRAYER :- For Anticipatory Bail 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, 1985 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. The contraband was not seized from the petitioner. But he was implicated as an accused. The previous case against the petitioner is not similar in nature and prayed to grant anticipatory bail to the petitioner. 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, considering the nature of the offence, this Court is not inclined to allow this petition.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-
10/02/2022

/ TRUE COPY /

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

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.2841 of 2022
Date :10/02/2022

SA/VR/SAR.2/21.02.2022/2P/3C