



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 26/04/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.7609 of 2022

R.Muthukumar

... Petitioner/Accused No.3

Vs

The State rep.by
The Inspector of Police,
Pattiveeranpatti Police Station,
Dindigul District.
Crime No.677 of 2021.

... Respondent/Complainant

For Petitioner : M/s.MANIMARAN.NA.,
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.677 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 8(c) r/w 20(b), (ii) (B), and 25 of NDPS Act, in Crime No.677 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on secret information, on 02.11.2021, at about 04.30 p.m, the respondent police went to the place of occurrence and way laid the Bajaj Auto bearing Registration No.TN-57-BK-3204, wherein, two unknown persons possessed with 2 kgms of contraband. Based upon the confession statement of given by them, case has been registered against this petitioner.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that this is the third anticipatory bail application. Earlier bail application in Crl.OP(MD)No.3991 of 2022 filed by the petitioner was dismissed for default for non prosecution on 21.03.2022.



4. The learned Government Advocate (Crl. Side) for the respondent police would submit that the petitioner is a whole sale agent of Ganja and having 1 similar case in Crime No.606 of 2021.

5.This petition has been filed mainly on the ground that except the confession statement of co-accused, no other material is available on record.

6.Considering the antecedents of the petitioner he is not entitled for discretionary relief of anticipatory bail.

7.The learned counsel for the petitioner would submit that he is ready to file an undertaking affidavit.

8.In the case of such nature, does not require any such undertaking affidavit to be filed. I find no merit in this petition. Accordingly, this Criminal Original Petition is dismissed.

sd/-
26/04/2022

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/ /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
PATTIVEERANPATTI POLICE STATION,
DINDIGUL DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

**ORDER
IN**

CRL OP(MD) No.7609 of 2022
Date :26/04/2022

SA/JM/SAR.4/09.05.2022/2P/3C