



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/11/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.7769 of 2022

1. Arunpandi

2. Muthupandi

... Petitioners/Accused Nos.4 & 5

Vs

The State represented by
The Sub Inspector of Poilce,
Natham Police Station,
Dindigul District.
(Crime No.71 of 2022)

... Respondent/Complainant

For Petitioners : M/s. Sathish Babu.N.,
Advocate.

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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

PRAYER :-

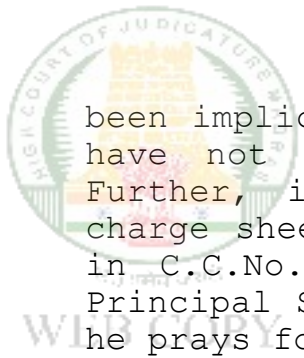
For Anticipatory Bail in Crime No.71 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A4 & A5, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c) , 20(b)(ii)(C), 25, 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.71 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and other accused were found in possession of 140 kgs of Ganja illegally. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that there was no recovery from the petitioners and based on the confession statement of the co-accused, the petitioners have



been implicated in this case and they are innocent persons. They have not committed any offence as alleged by the prosecution. Further, investigation in this case has been completed and the charge sheet has already been filed and the case was taken on file in C.C.No.601 of 2022 by the learned Additional District Judge, Principal Special Court for EC and NDPS Act Cases, Madurai. Hence, he prays for anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent police opposed for grant of anticipatory bail to the petitioners stating that the petitioners and other accused were found in possession of 140 kgs of Ganja, which comes under the commercial quantity. He would further submit that the investigation in this case has been completed and the charge sheet has already been filed before the learned Additional District Judge, Principal Special Court for EC and NDPS Act Cases, Madurai and the same was taken on file in C.C.No.601 of 2022.

5.Considering the facts and circumstances of the case and also considering the fact that the quantity of Ganja involved in this case, is commercial quantity, this Court is not inclined to grant bail to the petitioners.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

08/11/2022

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/11/2022

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

TO

- 1 THE SUB INSPECTOR OF POILCE
NATHAM POLICE STATION, DINDIGUL DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. SATHISH BABU.N. Advocate SR.No.12738

ORDER

IN

CRL OP(MD) No.7769 of 2022

Date :08/11/2022

SS/BUC/SAR II/17.11.2022/ 2P/ 4C