



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

Date : 11/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN
CRL OP(MD). No.7817 of 2022

WEB COPY

Marbin ... Petitioner/Accused No.1

Vs

The State Rep.by
The Inspector of Police,
Boothapandi Police Station,
Kaniyakumari District.
Crime No.318 of 2021..

... Respondent/Complainant

For Petitioner : M/s. Swathi Sankaravarathanan.T,
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.318 of 2021 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who apprehends arrest at the hands
of the respondent police for the offences punishable under Sections
8(c) r/w 20(b)(ii)(c), 25 and 29(1) of NDPS Act, 1985, in Cr.No.318
of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other
accused were found in illegal possession of 21 Kg of Ganja. Hence,
the complaint.

3.The learned counsel for the petitioners would submit that the
petitioner is innocent and he has not committed any offence as
alleged by the prosecution. He would further submit that the
petitioner is working as AC Mechanic. A2 was arrested and was in
judicial custody. During custody, he died. The petitioner herein is
the son of A2. Only reason that he is being the son of A1, he has
been implicated in this case and no previous case is pending against
the petitioner. Hence, he prays for grant of anticipatory bail to
the petitioner.

4.The learned Additional Public Prosecutor would submit that
<https://www.mca.gov.in/district> three accused in this case and the petitioners are arrayed



as A1. He would further submit that Ganja involved in this is commercial quantity. Hence, he strongly opposed to grant bail to the petitioner.

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

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

11/11/2022

/ TRUE COPY /

/11/2022

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

DSS

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,
Boothapandi Police Station,
Kaniyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.7817 of 2022

Date : 11/11/2022

RD/SSS/SAR-II (23/11/2022) 2P 3C