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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 17/08/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Cr1.OP(MD)No.9909 of 2022

Annandurai : Petitioner/Rank not
Known

Vs.

State rep. by
The Inspector of Police,
Pudukkottai Town Police Station,
Pudukkottai District.
(Crime No.215 of 2022) : Respondent/Complainant

For Petitioner : Mr.G.Mathavan

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

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

PRAYER :- C-32AB.For Anticipatory Bail in Crime No.215 of
2022 on the file of the Respondent Police.



The petitioner, who is arrayed as an accused apprehending arrest at the hands of the respondent police for the alleged offences punishable under sections 328, 109 IPC r/w 21(A), 27(A) of NDPS Act, in Crime No.215 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant lodged a complaint stating that on 14/05/2022, one Ramesh attending the work by late. On enquiry, he stated that the accused persons injected the intoxicating drug by mixing with water. Because of that, he become unconscious. He also fell in the above said place and found some persons indulging in the above said illegal activities. Based upon the above said occurrence, the case was registered against five persons.

3.Seeking anticipatory bail, this petition has been filed by this petitioner stating that he was not present in the place of occurrence, since because he happened to be the owner of the medical shop. He has been falsely implicated in this case.



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4.The learned Additional Public Prosecutor would submit that the offence of this nature is a serious one, which requires thorough investigation. According to him, efforts have been taken by the Government to include the Tydol composition in the schedule 'X'. According to him, the composition of Tydol tablets is a dangerous one to the human life and if it is taken continuously for three days, the taker will die. This will become a menace in the area. So according to him, the offence of such nature should not be taken lightly and this sort of offence will affect the entire society at large. According to him, considering the seriousness of the offence, the petitioner should be subjected to custodial interrogation to bring out the truth.

5.As stated by the learned Additional Public Prosecutor, it is seen that Tydol tables are making menace in the area. As stated by him, it is having high rate of intoxicating quality. Now the petitioner has been arrayed as an accused, on the basis of the confession statement of the co-accused.



6.Considering the seriousness of the allegation, this petitioner is not entitled for the discretionary relief of anticipatory bail and he must be subjected to custodial interrogation to bring out the truth. So, I find no merit in this petition.

7.In the result, this criminal original petition is **dismissed**.

17/08/2022

Index:Yes/No
Internet:Yes/No
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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.



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To,

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- 1.The Inspector of Police,
Pudukottai Town Police Station
Pudukottai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G . ILANGO VAN , J

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