



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 28/06/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.10956 of 2022

Muthaiya

... Petitioner/Accused No.3

Vs

The State rep.by
The Sub Inspector of Police,
Gudalur North Police Station,
Theni District.
Cr.No.165/2022.

... Respondent/Complainant

For Petitioner : M/s.SUNDARAPANDIAN.S,
Advocate.
For Respondent : Mr.P.KOTTAI CHAMY,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Cr.No.165/2022 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent Police, for the offence punishable under sections 8(C) r/w 20(b)II(B), 25 and 29(1) of NDPS Act 1985, in Crime No.165 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 1.100 Kgs of Ganja. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and a false case has been foisted against this petitioner.

4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that the petitioner is the main accused and he only purchased the said Ganja from the second accused and sold the same. He would further submit that the petitioner is having 4 previous cases to his credit.



5. On perusal of CD file, it shows that based on the confession of the co-accused, the petitioner name was implicated in this case and the petitioner has purchased the Ganja and sold the same.

6. Considering the seriousness and gravity of the offence alleged as against the petitioner and also the fact that four previous cases are pending against this petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. In the result, this Criminal Original Petition is dismissed.

sd/-

28/06/2022

/ TRUE COPY /

/07/2022

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 SUB INSPECTOR OF POLICE,
GUDALUR NORTH POLICE STATION,
THENI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.10956 of 2022
Date : 28/06/2022

SA/VR/SAR.1/12.07.2022/2P/3C