



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12325 of 2022

P.Vijay

... Petitioner/Accused Rank Not Known

Vs

The State rep.by,
The Inspector of Police,
Checkanurani Police Station,
Madurai District.
(Crime No.236/2022)

... Respondent/Complainant

For Petitioner : Mr.A.Jayaramachandran,
Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

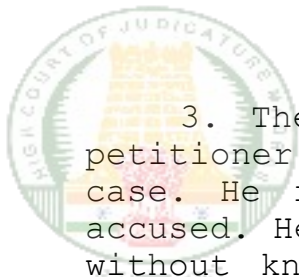
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-For Anticipatory Bail in Crime No.236/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused (Rank Not Known), apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 8(c) r/w 20(b)(ii)(b) of the Narcotic Drugs and Psychotropic Substances Act, in Crime No.236 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Sub Inspector of Police attached to the Respondent police Station, lodged a complaint stating that during the routine surveillance, near Kabi Petrol Bunk at Checkanurani-Sholavandhan Road, he suspected the two wheeler along with billion rider. That was intercepted. One of the occupant of the above said two wheeler escaped from the place along with two wheeler. On search, it was found that 2 Kg of Ganja. As per the procedure, sample was taken and case was registered.



3. The learned counsel for the petitioner submitted the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner arrayed as second accused. He was only riding the vehicle and gave lift to the person without knowing the fact. Except this, he is not involved in the above said transport of Ganja. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner is also facing similar charge in Crime No.207 of 2022 on the file of the Nallur Police Station, Tiruppur City.

5. According to the learned counsel for the petitioner that case is also a foisted one.

6. Apart from that, it is also seen that the petitioner is involved in another case in Crime No.27 of 2016, which was registered for the offence under Section 379 IPC. In that case, he was in custody for interrogation is pointed out the involvement of the petitioner in the above said offence. The offence of such nature cannot be taken lightly. Whether he has given lift to the co-accused is a matter for investigation.

7. Considering the antecedent of the petitioner, he is not entitled for discretionary relief of anticipatory bail and the Criminal Original Petition deserves to be dismissal and accordingly, dismissed.

sd/-

24/08/2022

/ TRUE COPY /

/09/2022

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

ORDER IN

CRL OP(MD) No.12325 of 2022

Date : 24/08/2022

DSS

<https://www.mhjudiciary.org.in> IV/06.09.2022/2P/3C