



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

Date : 10/08/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13953 of 2022

M.Vengatesh

... Petitioner/Accused

Vs

The State Rep. By,
The Inspector of Police,
Paramakudi Town Police Station,
Paramakudi,
Ramanathapuram District.
Crime No.248 of 2022.

... Respondent/Complainant

For Petitioner : Mr.Karthik.A,
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.248/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner is facing charges under Sections 8(c) and 20(b) (ii)(A) of Narcotic Drugs and Psychotropic Substances Act, in Crime No.248 of 2022 on the file of the respondent police.

2.The case of the prosecution in brief is as follows:-

3.On 23.07.2022 at about 12.10 pm., the police party were in routine duty. At that time, near Kamuthakudi Oorani Karai, they found a juvenile, by name Saravanan. He was apprehended and from him, 30 gms., of Ganja was recovered. On enquiry, it revealed that the 2nd accused, who is the petitioner herein, used to sell Ganja through him. On the basis of the aforesaid occurrence, the aforesaid case was registered. Now, the 1st accused was found to be a juvenile. He was produced before the Juvenile Justice Board and custody was handed over to his mother.



4. Now, seeking anticipatory bail, this petition has been filed on the ground that except the confession statement of the co-accused, no other material is available against the petitioner.

5. The learned Government Advocate (Crl. side) for the respondent would submit that the petitioner is doing business in Ganja and used to sell the same through the juveniles.

6. When such sort of allegation has been made against this petitioner, which is serious in nature, thorough investigation is required. So, this cannot be taken as a routine Ganja trading. Serious allegation has been made to the effect that the juvenile has been misused by the petitioner. When such being the case, considering the gravity of the allegation that has been made against this petitioner, he is not entitled for the anticipatory bail. It requires thorough custodial interrogation also. I find no merit in this petition.

7. This Criminal Original Petition deserves to be dismissed and accordingly, dismissed.

sd/-

10/08/2022

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/08/2022

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,
PARAMAKUDI TOWN POLICE STATION,
PARAMAKUDI, RAMANATHAPURAM DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.13953 of 2022

Date : 10/08/2022

MM

USK/PN/SAR-I/16.08.2022/2P/3C

<https://www.mhc.tn.gov.in/judis>