



WEB COPY



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

Date : 09/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP (MD) . No.16661 of 2022

R.Gunasekaran

... Petitioner/Accused No.2

Vs

State rep.by
The Inspector of Police,
Jetty Police Station,
Ramanathapuram District.
(Crime No.103 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Anand R, 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.103 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, 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, 23(c), 28 of NDPS Act 1985, in Crime No.103 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 25 kgs of ganja. Hence, the complaint.

3. The learned counsel for the petitioner would submit that there was no recovery from the petitioner and only on the basis of the confession statement alleged to have been taken from the first



accused, he has been implicated in this case. He would further submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. Hence, he may be granted anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the contraband was seized from the first accused and based on the confession statement of the co-accused, this petitioner has been implicated in this case. He would further submit that the petitioner is having one previous case of similar offence and the investigation in this case is not yet completed. Hence, he strongly opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, alleged quantity of contraband and also considering the strong objection raised by the prosecution, this Court is not inclined to grant anticipatory bail to him.

6. Accordingly, this Criminal Original Petition stands dismissed.

Sd/-
09/11/2022

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/11/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. THE INSPECTOR OF POLICE,
JETTY POLICE STATION,
RAMANATHAPURAM DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.16661 of 2022
Date : 09/11/2022