



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

Dated: 02/02/2022

PRESENT

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

**Cr1.OP(MD)No.19442 of 2021**

WEB COPY

Vinoth @ Vinothkumar : Petitioner/Accused Rank Not Known.

Vs.

State rep. By its  
The Inspector of Police,  
Thirugokarnam Police Station,  
Pudukottai District.  
(Crime No.732 of 2021)

: Respondent/Complainant

For Petitioner : Mr.M.Jegadeesh Pandian

For Respondent : Mr.R.Meenakshi Sundaram  
Additional Public Prosecutor

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

PRAYER :-

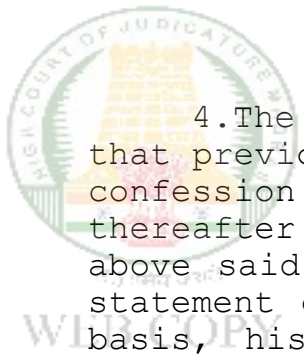
For Anticipatory Bail in Crime No.732 of 2021 on the file of the Respondent Police.

**ORDER** : The Court made the following order :-

The petitioner, who is arrayed as an accused apprehending arrest at the hands of the respondent police for the offence punishable under section 8(C) r/w 20(b)(ii)(C) of NDPS Act 1985, in Crime No.732 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 30/10/2021 at about 13.00 hours, when the respondent police made a inspection at Bhuvaneswari Marriage Hall, Kovilpatti, two person were found in a vehicle Honda Activa with yellow gunny bag. On seeing the police, they fled away from the scene of occurrence. On enquiry, they seized 138 kgs of ganja.

3.According to the prosecution, the petitioner also involved in the illegal selling of ganja of 138 kgs. Based upon the confession of A1, this petitioner involvement is also noticed and he has arrayed as an accused.



4.The learned counsel appearing for the petitioner would submit that previously this petitioner name is not included in the FIR. The confession statement of A1 was obtained on 30/10/2021 and only thereafter on 12/11/2021, the further confession statement of the above said person was obtained and during the course of confession statement only, this petitioner name is mentioned and only on that basis, his name has been included in the FIR. He would further submit that the respondent is having motive against this petitioner, since on the earlier occasion, the sister of the petitioner moved a direction petition before this court seeking a direction to the respondent police not to harass the petitioner and his family members and that was allowed. To wreck vengeance, this case has been foisted.

5.The learned Additional Public Prosecutor has produced the copy of the confession statement that was obtained from A1 namely Janaki. The confession statement of A1 is also recorded. During the course of investigation, when a petition was moved by the respondent before the concerned court seeking police custody.

6.A reading of the confession statement of A1 shows that this petitioner also related to A1. The entire family is involved in the illegal transportation and selling of ganja. It is also seen that they purchased ganja from various places and used to transport for selling and this petitioner is also acting as an agent for the above said selling of ganja to various parts of the State. So according to the learned Additional Public Prosecutor, since the petitioner is also involved in this crime, considering the net work that is operating the entire family members, if the petitioner is released on anticipatory bail, there is every likelihood of absconding and continuously committing the very same offence.

7.The learned Additional Public Prosecutor has also produced the list of cases pending against this petitioner, which shows that most of the cases have been registered under the prohibition Act. So considering the antecedents of the petitioner and the fact that the involvement is required to be thoroughly investigated, the petitioner is not entitled for anticipatory bail.

8.In the result, this petition is **dismissed**.

sd/-

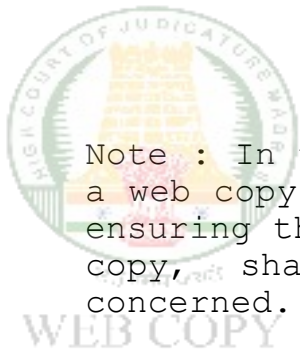
02/02/2022

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

.02.2022



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  
THIRUGOKARNAM POLICE STATION,  
PUDUKOTTAI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTORE,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.19442 of 2021  
Date :02/02/2022

RD/SBN/SAR-III(11.02.2022) 3P 3C