



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/01/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.19641 of 2021

R.Muthukumar

... Petitioner/Accused No.3

Vs

State rep.by
The Inspector of Police,
Pattiveeranpatti
Police Station
Dindigul District.
(Crime No.677/2021).

... Respondent/Complainant

For Petitioner : M/s.Manimaran.NA, Advocate.

For Respondent : M/s.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.677 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 8(c) r/w 20(b), (ii)(b) and 25 of NDPS Act, in Crime No.677 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on secrete information, on 02.11.2021, at about 04.30 p.m, the respondent police went to the place of occurrence and way laid the Bajaj Auto bearing Registration No.TN-57-BK-3204, wherein, two unknown persons possessed with 2 Kgms of contraband. Based upon the confession statement given by them, case has been registered against this petitioner.



3. The learned counsel for the petitioner submitted that the petitioner is innocent and the main accused A1 and A2 were arrested and released on bail. Only based upon the confession statement given by them, this petitioner has been falsely implicated in this case and he did not present in the place of occurrence and no properties were recovered from him. The properties only recovered from A1 & A2 only. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner is involved in one previous case similar in nature and the petitioner is the main accused in this crime. Because, the co-accused purchased the contraband only from him.

5. Even though, the co-accused have already been released on bail, considering the antecedents of the petitioner that he is facing similar charge, he is not entitled to discretionary relief of anticipatory bail. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

04/01/2022

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/ /2022

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

dss

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

ORDER

IN

CRL OP(MD) No.19641 of 2021

Date :04/01/2022

SP/VR/SAR IV/21/01/2022/2P/3C

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