



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/10/2022

PRESENT

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

CRL OP(MD) . No.18575 of 2022

Karthi @ Karthik

... Petitioner/Accused No.2

Vs

State rep.by
The Inspector of Police,
NIB-CID Police Station,
Theni, Theni District.
(Crime No.20/2022).

... Respondent/Complainant

For Petitioner : M/s.Karuppasamy Pandiyan G, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.20/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offence under Sections 8(c), 20(b)(II)(B) and 29(I) of NDPS Act in Crime No.20 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 26.05.2022, on receiving tip off, the respondent police enquired A1 on suspicion. On enquiry, it came to light, A1 had in possession of 12kgs of Ganja. Immediately, he was arrested and on his confession, the entire contraband was recovered from him. Hence, the complaint.



3.The learned counsel for the petitioner would submit that based on the confession statement of A1, the petitioner has been arrayed as accused in this case and the petitioner is innocent and he has not at all present in the scene of occurrence. Hence, he prays for anticipatory bail.

4.The learned Additional Public Prosecutor would strongly opposed this petition stating that the petitioner and other accused were found in illegal possession of 12 kgs of Ganja and he is having one similar previous case and the investigation has been completed and the charge sheet has already been filed before the concerned Court.

5.Considering the facts and circumstances of the case and also considering the quantity of Ganja involved in this case is 12 kgs and the petitioner is having one similar previous case and the investigation has been completed and the charge sheet has already been filed before the concerned Court, this Court is not inclined to grant anticipatory bail to the petitioner at this stage.

6.Accordingly, this Criminal Original Petition is dismissed.

Sd/-
26/10/2022

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

SJI

TO

1. THE INSPECTOR OF POLICE,
NIB-CID POLICE STATION,
THENI, THENI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.18575 of 2022
Date :26/10/2022