



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2022

PRESENT

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P (MD) No.22939 of 2022

WEB COPY

Mammudhu @ Muhamed Maideen

...Petitioner/Accused No.2

-vs-

The State represented by
The Inspector of Police,
NIB CID, Thoothukudi.
(Cr.No.14 of 2022)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioner on bail in the event of his arrest in connection with Cr.No.14 of 2022 on the file of the respondent Police.

For Petitioner

: Mr.S.Ramasamy, Advocate

For Respondent

: Mr.T.Senthil Kumar

Additional Public prosecutor

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 8(c), 20(b)(ii)(C), 29(1) and 25 of NDPS Act, 1985 in Crime No.14 of 2022 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant, is that petitioner and other accused were found in joint possession of 437 kgs of Ganja illegally. Hence, the complaint.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent and a false complaint has been given. He would also submit that the based on the confession of the co-accused, the petitioner's name has been included in the FIR. He would also submit that the petitioner has no previous case pending against him and hence, he would pray for anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that considering the quantity of Ganja involved in this case and also the fact that the investigation is still pending, this Court had dismissed the earlier anticipatory bail petition filed by the petitioner, by order, dated 10.11.2022 in Crl.O.P.(MD)No.17178 of 2022. He would also submit there is no change of circumstance in this case.



5.Considering the facts and circumstances of the case so considering the quantity of Ganja involved in this case and also considering the submissions made by the learned Additional Public Prosecutor, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this Petition is dismissed.

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23/12/2022

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/01/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

cmr

TO

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

ORDER
IN
CRL OP(MD) No.22939 of 2022
Date :23/12/2022

RK/BUC/SAR-3 (03/01/2023) 2P/3C