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Crl.O.P.No.20111 of 2023

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Reserved On	07.09.2023
Pronounced On	13.09.2023

RMT.TEEKAA RAMAN, J.

The petitioner/A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c) r/w 20(B)(ii)(B) NDPS Act 1985 in Crime No.46 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the respondent police got secret information from the informer on 31.1.2023 that the accused 1 and 2 were selling the Kanja at ECR Road, near Mangalore Lake at Muthupettai. Based on the information, the respondent police reached the place of occurrence. On seeing the police, the accused 1 and 2 tried to escape from the scene of occurrence, but the police captured them and recovered 1.100 kg Ganja from them. It is further alleged that the 1st accused has made a confession before the respondent police that, the accused 1 and 2 were selling the Ganja/contraband which was received from the



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petitioner/A3 and A4. Pursuant to the confession statement of A1, the petitioner was arrayed as A3 in the present FIR.

3. The learned counsel for the petitioner submitted that based upon the confession statement of A1, he was arrayed as 3rd accused. He further submitted that another co-accused/A4 has been granted anticipatory bail by this Court in Crl.O.P.No.16625 of 2023 on 16.08.2023 and hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) submitted that it is a case under NDPS Act. A1 was caught hold by the respondent police and in his confession statement, he has stated that the petitioner/A3 is the supplier of the contraband Viz., Ganja. He further submitted that the overt act against A4 is different from the overt act against the petitioner/A3 and the petitioner herein is having three previous cases all of similar nature.

5. Considering the submissions made by the learned Government Advocate (Crl.side) and also taking note of the overt act against this petitioner and also the fact that there are three similar cases pending against the petitioner and he is the supplier of



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the contraband to the A1, I am not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

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mpl

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