



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2023

PRESENT

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

CRL.O.P (MD) No.2371 of 2023

V.Saravanan

... Petitioner/Accused

-vs-

State represented by
The Inspector of Police,
Devakottai Town Police Station,
Sivagangai District.
(in Cr.No.256 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 by the respondent Police with respect to Cr.No.256 of 2022.

For Petitioner	: Mr.F.Deepak, Advocate
For Respondent	: Mr.A.Albert James
	Government Advocate (Crl.side)

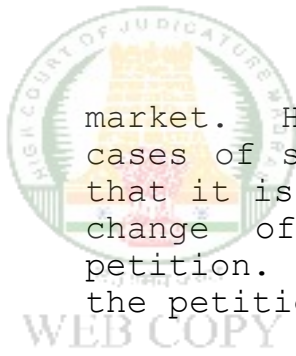
O R D E R

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 8(c) and 20(b)(ii)(B) of NDPS Act in Crime No.256 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 on 15.11.2022, the accused persons were found in illegal possession of 2.5 kgs of ganja. 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 petitioner has not committed any offence, as alleged by the prosecution. He would further submit that the petitioner has been falsely implicated in this case, based on the confession of co-accused. He would also submit that this is the second petition for anticipatory bail and the earlier petition was dismissed considering the nature and gravity of offence and the bad antecedent of the petitioner. He would also submit that the petitioner is ready to abide by any stringent conditions, that may be imposed on him. Hence, he would pray for anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) would submit that it is a case where a Policeman in collusion with the drug offenders had involved in the trading of ganja and sold the same in the open



market. He would also submit that the petitioner has got is cases of similar in nature pending against him and he would submit that it is the second petition for anticipatory bail and there is no change of circumstances, after the dismissal of the earlier petition. Hence, he would oppose for grant of anticipatory bail to the petitioner.

5.Taking into consideration the facts and submissions and also on perusing the materials available on record including the F.I.R., this Court is of the opinion that after the dismissal of the earlier petition for anticipatory bail, there is no change circumstances and hence, this petition is dismissed.

sd/-

06/02/2023

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

cmr

To

1 THE INSPECTOR OF POLICE
DEVAKOTTAI TOWN POLICE STATION, SIVAGANGAI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.F.DEEPAK, Advocate (SR-1963[I] dated 08/02/2023)

ORDER

IN

CRL OP(MD) No.2371 of 2023

Date :06/02/2023

RS/SB/SAR.2(15.02.2023) 2P-4C