



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 01/03/2023

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.3797 of 2023

V.Saravanan

... Petitioner /
Accused Rank not known

Vs

The State represented by
The Inspector of Police,
Devakottai Town Police Station,
Sivagangai District.
(Crime No.256 of 2022..)

... Respondent / Complainant

For Petitioner : M/s.S.Nedunchezhiyan, Advocate

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Cr.No.256 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehending arrest at the hands of the respondent police for the offences punishable under Section 8(c), 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 the co-accused. He would also submit that this is



the third petition for anticipatory bail and the earlier one was dismissed on 06.02.2023 considering the nature and gravity of the offence. 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 Police man 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 previous cases of similar nature pending against him and he would submit that though it is a third petition for anticipatory bail, there is no change in circumstances, after the dismissal of the earlier petitions. Hence, he would strongly oppose for grant of anticipatory bail to the petitioner.

5.Taking into consideration the facts and submissions and the gravity of the offence that a police man, himself involved in the offence and this Court is of the opinion that it is not a fit case for bail and further after the dismissal of the earlier petitions for anticipatory bail, there is no change in the circumstances and hence, this petition is to be dismissed.

6.Accordingly, the Criminal Original Petition stands dismissed.

sd/-
01/03/2023

/ TRUE COPY /

/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

To

1.The Inspector of Police,
Devakottai Police Station,
Sivagangai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.3797 of 2023
Date :01/03/2023

ED/SBN/SAR-1 (20/03/2023) 2P 3C

<https://www.mhc.tn.gov.in/judis>