



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2023

PRESENT

WEB COPY

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

CRL.O.P (MD) No.3833 of 2023

Duraichi

...Petitioner/Accused NO.4

-vs-

The State represented by
The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.
(in Cr.No.391 of 2017)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioners on bail in the event of their arrest by the respondent Police with respect to Cr.No.391 of 2017.

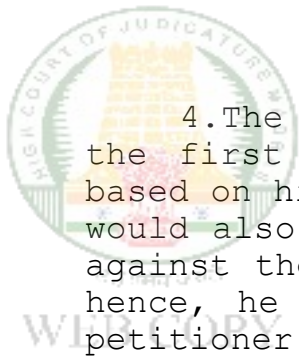
For Petitioners	: Mr.A.S.Vaigunth
For Respondent	: Mr.A.Albert James Government Advocate (Crl.side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 8(c) r/w Section 20(b)(ii)(B) of NDPS Act, in Crime No.391 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant, is that the first accused was found in illegal possession of 2.75 kgs of ganja and based on the confession given by him, other accused were also added as accused. Hence, the complaint.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent and the petitioner has been falsely implicated in this case. He would also submit that the petitioner has not committed any offence, as alleged by the prosecution. He would also submit that the petitioner is ready to abide by any stringent conditions, that may be imposed on him. Hence, he would seek for anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl.side) would submit that at the first accused was found in possession of 2.75 kgs ganja and based on his confession, the accused were also added as accused. He would also submit that the petitioner is a habitual offender and as against the petitioner, four previous cases pending against him and hence, he would strongly oppose to grant anticipatory bail to the petitioner.

5.Taking into consideration the habituality of the petitioner in committing the crime and also the fact that the petitioners has four previous cases pending against him, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-
28/02/2023

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

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To

- 1.The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER IN
CRL.O.P (MD) No.3833 of 2023
DATE :28.02.2023

NA/BUC/SAR-I/16.02.2023/2P/3C