



WEB COPY

CRL OP(MD).



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 09/03/2023
PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.4506 of 2023

Shanmugam

... Petitioner/Accused 1

Vs

The State rep.by
The Inspector of Police,
Thideer Nagar Police Station,
Madurai District.
Cr.No.543 of 2022

... Respondent/Complainant

For Petitioner : M/s.Karthikeya.C.,
Advocate.

For Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor

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

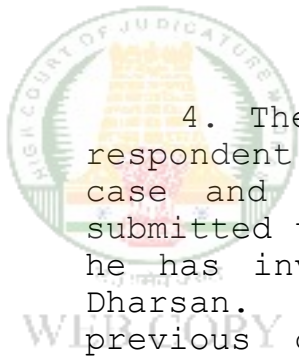
PRAYER :- For Anticipatory Bail in Crime No.543/22 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 18(c), 20(b) (ii)(B), 29(1) of NDPS Act, 1985 and 25(1A) of Arms Act, 1959 in Crime No.543 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 25.10.2022, when the respondent police was in patrol duty, the petitioner and other accused have found in possession of 1.200 Kgms of Kanja and the same has been recovered. Hence, the compliant.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further submit that earlier petition filed by the petitioner was dismissed by this Court vide order 2.11.2022 dated in CrI.O.P(MD)No. 19301 of 2022 and he would seek anticipatory bail.



4. The learned Additional Public Prosecutor appearing as respondent would submit that totally four accused involved in this case and the petitioner herein is arrayed as A4. He further submitted that the specific overt act against the petitioner is that he has involved in the case of murder of one Karthi, father of Dharsan. He would further submit that the petitioner is having one previous case under the Arms Act and the petitioner was in possession of 1.200 kgms of ganja and he strongly opposed to grant anticipatory bail to the petitioner.

5. The petitioner was in possession of 1.200 kgs of ganja and it is a case of NDPS Act and custodial interrogation of the petitioner is very much required and the earlier anticipatory bail application was dismissed by this Court on 02.11.2022 and there is no change of circumstances to consider the present application.

6. Hence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this petition is dismissed.

sd/-
09/03/2023

/ TRUE COPY /

/03/2023

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

CM
TO

- 1 THE INSPECTOR OF POLICE,
THIDEER NAGAR POLICE STATION,
MADURAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

**ORDER
IN**

CRL OP(MD) No.4506 of 2023
Date :09/03/2023

SA/BUC/SAR.2/21.03.2023/2P/3C