



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/03/2023

PRESENT

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

CRL OP(MD) . No.5448 of 2023

Agustin

... Petitioner/Accused No.2

Vs

The Inspector of Police,
Thiruppalai Police Station,
Madurai City
(Crime No.168 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Jeyaram A,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.168/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2 who apprehends arrest at the hands of the respondent police for the offences punishable under Section 8(c) r/w 20(b)(ii)(c), 25 and 29(1) of Narcotic Drugs and Psychotropic Substance Act, 1985 in Crime No.168 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with the other accused were found in illegal possession of 30kgs of Ganja. Hence, the case.



3.Heard. Perused the materials available on record .
the First Information Report.

4.There are five accused involved in this case. The petitioner is arrayed as A2. Initially, 10kgs of Ganja was seized from A1 and on his confession, the remaining contraband weighing 30kgs of ganja were seized from A2 to A5 herein. Therefore, all the accused persons were in conscious possession of contraband weighing 40kgs of Ganja, which is a commercial quantity. However, the petitioner has also failed to satisfy the twin conditions as contemplated as under Section 37 of NDPS Act, this Court is not inclined to grant bail to the petitioner.

5.Hence, this petition stands dismissed.

sd/-
24/03/2023

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/04/2023

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

sjj

TO

- 1.THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 2.THE INSPECTOR OF POLICE,
THIRUPPALAI POLICE STATION,
MADURAI CITY
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.5448 of 2023
Date :24/03/2023

RK/SSS/SAR-4(10/04/2023) 2P/4C