



WEB COPY

CRL OP(MD)



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31.03.2023

PRESENT

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

CRL OP(MD)No.6145 of 2023

Sivachandran @ Siva

... Petitioner/Accused No.3

Vs

State Rep.by
The Inspector of Police,
PEW-Police Station,
Thoothukudi District.
(Cr.No.214 of 2023)

... Respondent/Complainant

For Petitioner : Mr.S.Muthumalai Raja, Advocate
For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate(Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.214 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c), 20(b)(ii)(B) and 25 of the Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No.214 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 20.03.2023 at about 03.00 pm., based on the secret information the police party went to Thoothukudi old bus stand for search. At that time, A1 and A2 were came in 2 two wheeler bearing Reg.Nos.TN-69-BJ-3834 and TN-59-BM-6022. The police stopped them and conducted search and they found that A1 was in illegal possession of 1.100 kgs of ganja and A2 was in illegal possession of 300 grams of ganja and based on their confession statements, the petitioner herein was implicated as an accused. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner has been falsely implicated as an



accused, based on the confession statements of A1 & A2. According to the prosecution, A1 & A2 were in illegal possession of ganja. Therefore, he sought for anticipatory bail.

4. The learned Government Advocate(Crl.side) appearing for the respondent police would submit that the petitioner involved in four previous cases and in the present case, the petitioner is master brain behind the entire crime. A1 & A2 stated in their confession statement that they have purchased only from the petitioner herein. Therefore, custodial interrogation of the petitioner is very much required in this case and hence, he prayed for dismissal of this petition.

5. Heard both sides and perused the materials available in the record.

6. It is seen that the petitioner is having four previous cases and A1 & A2 have purchased ganja from the petitioner herein. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-

31/03/2023

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/05/2023

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

gns

TO

1 THE INSPECTOR OF POLICE, PEW-POLICE STATION,
THOOTHUKUDI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.6145 of 2023

Date :31/03/2023

RS/VR/SAR-2(17.05.2023) 2P 3C