



WEB COPY



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.6149 of 2023

Akarapu Yugendar

... Petitioner/Accused rank 11

Vs

The Inspector of Police,
Mayiladumparai Police Station,
Mayiladumparai,
Theni District.
(Crime No.79 of 2022)

... Respondent/Complainant

For Petitioner : Mr.N.Pragalathan

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate(Crl.side)

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

PRAYER :-

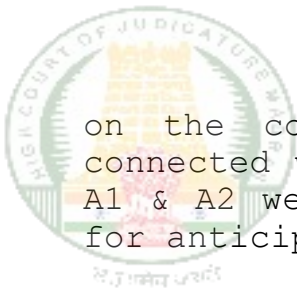
For Anticipatory Bail in Crime No.79 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A11, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c), 20(b)(ii)(B), 27A of the Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No.79 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 09.08.2022, at about 2.10 pm., after getting secret information, the Sub-Inspector of Police went to the occurrence place and seized 5 kg of ganja from A1 & A2 and recorded their confession statements, in which they have stated that they purchased 10 kg of kanja from A3, who is the wife of the petitioner herein and they sold 5 kgs of ganja to A4 to A8. 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 the co-accused. He is in no way connected with the alleged case. Even 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 is also doing ganja business along with A3. Though the petitioner was implicated based on the confession statements of co-accused, he also involved in the transportation of ganja and custodial interrogation of the petitioner is very much required in this case and hence, he prayed for dismissal of this petition.

5. In view of the above submission, 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,
Mayiladumparai Police Station,
Mayiladumparai,
Theni District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

CRL OP (MD) No. 6149 of 2023

Date : 31/03/2023

SS/MMS/SAR III/17/05/2023/2P/3C