



WEB COPY

CRL OP(MD). N



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/06/2023

PRESENT

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

CRL OP(MD). No.10143 of 2023

Komban @ Madasamy

... Petitioners/Accused No.4

Vs

State rep. By
The Inspector of Police,
Alanganallur Police Station,
Madurai District.
Crime No.543 of 2016.

... Respondent/Complainant

For Petitioner : Mr.S.Ayyanar Prem Kumar, Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.543 of 2016 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A4, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 8(c), 20(b)(ii)(B) of NDPS Act in Crime No.543 of 2016 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on the secret information received, the respondent police conducted check up. At that time, the petitioner found in illegal possession of 2kgs of ganja. Hence, the case.

3. Heard both sides and perused the materials available on record including the First Information Report.

4. Totally there are four accused in the case and the petitioner herein is arrayed as A4. Admittedly, the petitioner has been implicated as an accused on the basis of confession statement of the co-accused. That apart, the petitioner is having four previous cases, which are similar in nature.



5. Considering the above facts and circumstances of the case and also the fact that petitioner fails to satisfy the twin test as contemplated under Section 37 of the NDPS Act, the petitioner is not entitled for bail.

6. Hence the petition stands dismissed.

sd/-

12/06/2023

/ TRUE COPY /

/06/2023

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

MRN

TO

1 THE INSPECTOR OF POLICE, ALANGANALLUR POLICE STATION,
MADURAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.10143 of 2023

Date :12/06/2023

RS/VR/SAR-(19.06.2023) 2P 3C