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CRL OP(MD). N



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/06/2023

PRESENT

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

CRL OP(MD). No.10291 of 2023

Mahesh ... Petitioner/Accused No.2

Vs

State represented by,
The Inspector of Police,
Nesamony Police Station,
Kanyakumari District.
(Crime No.21 of 2023)

... Respondent/Complainant

For Petitioner : Mr.B.Micheal Sebastin

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.21 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused No.2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c), 20(b)(ii)(A), 25 and 29(1) of NDPS Act and Section 77 of the Juvenile Justice (Child and Protection of Children) Act, 2015 in Crime No.21 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 02.03.2023 at about 09.45 a.m., based on secret information, the respondent Police went to Derik Junction. On seeing the police, the second accused escaped from the place and the first accused was found in possession of 30 grams of Ganja. Hence, the case.



3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record including the First Information Report.

4. Though this Court by order dated 06.04.2023, dismissed the petition filed by the petitioner in Crl.O.P(MD)No.6426 of 2023, on the ground that the petitioner is having seven previous cases and the co-accused was found in possession of 30 grams of Ganja. Therefore, the custodial interrogation of the petitioner is very much required in this case. Accordingly, this Criminal Original Petition is dismissed with costs of Rs.5,000/- (Rupees Five Thousand Only) payable to the Legal Services Authority attached to this Bench.

sd/-
14/06/2023

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/06/2023

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

TO

1. THE INSPECTOR OF POLICE,
NESAMONY POLICE STATION,
KANYAKUMARI DISTRICT.

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

3. THE OFFICER INCHARGE,
THE LEGAL SERVICES AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.10291 of 2023
Date : 14/06/2023

SI/(22.06.2023) 2P/ 4C