



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 15.06.2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD)No.10408 of 2023

WEB COPY

Pradeepkumar

... Petitioner/Accused No.2

Vs

State represented by
The Inspector of Police,
Karur Town Police Station,
Karur District.
(Crime No.601 of 2022)

... Respondent/Complainant

For Petitioner : Mr.P.Manoharan, Advocate

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.601 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offence under Sections 8(c) r/w 20(b)(ii)(C), 25 and 29(1) of NDPS Act, in Cr.No.601 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that on 03.09.2022, when the respondent police was in vehicle check up, they found that one lorry bearing Reg.No.TN 60 Q2391 is parked bear periyandankovil Periyar roundana service road and when the police party questioned the persons and they did not answer properly. When the police made search on the lorry, they found 19 kgs of ganja and 4 kgs from 2 two wheelers. Hence, the case.

3.The learned Additional Public Prosecutor appearing for the respondent police would submit that now the investigation is completed and charge sheet also filed, which was taken cognizance in **(*)CC.No.90 of 2023** by the learned **(**)Principal Special Court for EC & NDPS Act Cases, Pudukottai** Due to non-appearance of the petitioner herein, NBW is also pending against him.

4.The learned counsel appearing for the petitioner undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail.



5. Considering the undertaking given by the learned counsel for the petitioner, the petitioner is directed to appear before the learned **(**)Principal Special Court for EC & NDPS Act Cases, Pudukottai** on the next hearing and to file a petition under Section 70(2) of Cr.P.C., to recall NBW already issued against him. On the filing of such petition, the concerned learned Magistrate is directed to consider the same on its own merits and in accordance with law and pass orders on the same day.

6. With the above direction, this Criminal Original Petition is disposed of. It is made clear that while considering the petition to recall, the Court below shall bear in mind about the period of Non-Bailable Warrant and any crime committed while pending Non-Bailable Warrant. Mere direction issued by this Court to consider the application on the same day does not amount to direction to consider the recall petition favourably.

sd/-
15/06/2023

(*) ()AMENDED AS PER ORDER OF THIS
COURT DATED 30.06.2023 IN CRL MP(MD)
NO.9389 OF 2023 IN CRL OP(MD)NO.10408
OF 2023**

/ TRUE COPY /

/07/2023

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

gns

TO

TO BE SUBSTITUTED WITH THE ORDER DATED 15/06/2023 ALREADY DESPATCHED

1. THE JUDGE,
PRINCIPAL SPECIAL COURT FOR EC & NDPS ACT CASES,
MADURAI
2. THE JUDGE,
PRINCIPAL SPECIAL COURT FOR EC & NDPS ACT CASES,
PUDUKOTTAI
3. THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION,
KARUR DISTRICT.



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

+1 CC to M/s.S.BALAJI, Advocate SR-10016

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ORDER

IN

CRL OP(MD) No.10408 of 2023

Date :15/06/2023

RK/SSS/SAR- (22/06/2023) 4P/5C

RK/MMS/SAR- (14.07.2023) 3P/6C