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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12179 of 2023

Babu

... Petitioner/ Accused rank not known

Vs

The State represented by
The Inspector of Police,
Balamedu Police Station,
Madurai District.
(Crime No.85 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Selva Kumar.S,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.85 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/accused who apprehends arrest at the hands of the respondent

police for the offences punishable under sections 8(c) r/w 20 (b) (ii) B, 25, 29(1) of



NDPS Act, in Crime No. 85 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 07.04.2023, at Balamedu Ayyanar Kovil backside, the accused persons were sitting in their four bikes. On search, the respondent police found that the accused persons having possession of 2.200 kgs. of ganja. Hence, the case.

3.On the ground that even in the FIR his name is not mentioned, only on the basis of the confession statement of the co-accused, he has been implicated and no way involved in the above said occurrence and also stated that, no previous case similar in nature. Hence, this petition has been filed.

4.The learned Additional Public Prosecutor would submit that in the confession statement of co-accused namely Jothi mani, he has indicated that amount of Rs.19,000/- was transferred to the account of the petitioner for the purpose of the above said ganja and he has supplied the above said ganja to the co-accused. On the information given by this petitioner only all of them gathered in the place of occurrence and they were apprehended. Apart from that the petitioner is involved in two previous cases, one is for the offence under Section 302 of IPC in Crime No.722 of 2018 and another one is for the offence under Section 397 & 297 of IPC in Crime No.754 of 2023.



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5. Considering the bad antecedents of the petitioner and also considering the fact that this petitioner alleged to have supply the Ganja to the co-accused, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this criminal original petition stands dismissed.

sd/-
19/07/2023

/ TRUE COPY /

/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1 THE INSPECTOR OF POLICE
BALAMEDU POLICE STATION, MADURAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.12179 of 2023
Date :19/07/2023

SS/JGB/11/09/2023/3P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023