



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13768 of 2023

Vishnu

... Petitioner / Accused No.2

Vs

State represented by
The Inspector of Police,
Puliyarai Police Station,
Tenkasi District.
Crime No. 70 of 2017.

... Respondent/Complainant

For Petitioner : M/s.S.Sivakumar, 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. 70 of 2017 on the file of the Respondent Police.

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis> The petitioner/Accused No.2, apprehending arrest at the hands of the



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respondent police for the alleged offence punishable under Sections 3, 4(a) of the Explosive Substances Act, 1908 and 8(c), 20(b)(ii)(A) of Narcotic Drugs and Psychotropic Substances Act, 1985 altered to Sections 8(c), 20(b)(ii)(A) of Narcotic Drugs and Psychotropic Substance Act and Section 5 of IES Act, in Crime No.70 of 2017, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Special Sub Inspector, received some information and after making entry in the GD book, along with police team, she was doing vehicle check up on the Sengottai to Punalur Road, at that time, he found a car bearing registration No.KL 01 CA 3906, a four wheeler was coming and that was intercepted. Three persons were available. Among the three, two persons were escaped from the place. Another person was apprehended. Enquiry was made and he revealed his name and has also the other persons who absconded. He also handed over one country bomb and 150 grams of Ganja. He revealed that he purchased the Ganja from an unknown person in Kerala and transporting the same to Tamil Nadu for selling. Hence the present complaint came to be registered.

3. The learned counsel for the petitioner submitted that the petitioner is an



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innocent, he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl.side) would submit that final report has been filed before the learned Judicial Magistrate, Shencottah and the same was taken cognizance in P.R.C.No.17 of 2020 and the committal process is underway. The petitioner has shown as absconding accused and warrant was also issued against the petitioner. Other accused persons are appearing before the committal court.

5. The learned counsel for the petitioner submitted that since the petitioner is residing at Kerala State, he is unaware of the issuance of warrant.

6. Since warrant was issued against the petitioner, let him surrender before the committal Court and seek regular bail.

7. This Criminal Original Petition stands dismissed.

sd/-
27/08/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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- 1 THE JUDICIAL MAGISTRATE,
SHENCOTTAH.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE
PULIYARAI POLICE STATION,
TENKASI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN

CRL OP(MD) No.13768 of 2023

Date :27/07/2023

SS/VRS/17/08/2023/4P/5C

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