



CRL OP(MD). No.15257 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15257 of 2023

Madasamy Mahesh

... Petitioner/ Accused No.3

Vs

The State, through
The Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli City.
(Crime No.338 of 2022).

... Respondent/Complainant

For Petitioner : Mr.B.ANANDAN,
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.338 of 2022 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/sole accused who apprehends arrest at the hands of the respondent police for the offences punishable under sections 8(c), 20(b)(ii)(A), 29(1) and 25 of NDPS Act, 1985 and Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.338 of 2022 on the file of the respondent Police, seeks anticipatory bail.



CRL OP(MD). No.15257 of 2023

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2. The case of the prosecution is that on 14.12.2022, based on the secret information, the respondent police along with his team went to the Tirunelveli Junction Madurai Road, near MDT School at about 14.15 hours and found that three persons were standing near Two Wheelers bearing Reg.No.TN-72-CA-5715 and TN-72-BT-9316. On seeing the police, the said persons tried to escape from the place. The police party apprehended two persons, namely, Karthikeyan and Esakki. Based on their confession, the respondent police registered the present case against the petitioner and other accused. Further, the respondent police recovered 44 grams of Ganja from the accused persons. Hence, the case.

3.Heard. Perused the materials available on record including the First Information Report.

4.The learned counsel for the petitioner would submit that the petitioner is an innocent and is no way connected in this case.

5. The learned Additional Public Prosecutor would submit that the petitioner is involved in four previous cases and out of four cases, two cases are similar in nature.

6. Considering the facts and circumstance of this case and also considering that the petitioner is a habitual offender, there is no change of circumstance, this Court is not inclined to grant anticipatory bail to the petitioner.



CRL OP(MD). No.15257 of 2023

7. In the result, the petition stands dismissed.

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/09/2023

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

INDU
TO
1 THE INSPECTOR OF POLICE,
TIRUNELVELI JUNCTION POLICE STATION,
TIRUNELVELI CITY.

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

ORDER
IN
CRL OP(MD) No.15257 of 2023
Date :22/08/2023

SA/DD/SAR. /11.09.2023/3P/3C

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