



CRL OP(MD). No.21551 of 2023

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

Date : 05/12/2023

PRESENT

The Hon'ble Mr.Justice V.SIVAGNANAM
CRL OP(MD). No.21551 of 2023

Kaviyan

... Petitioner / Accused No.1

Vs

The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
(Crime No. 612 of 2023.)

... Respondent / Complainant

For Petitioner : Mr.K.R.Manimaran, Advocate

For Respondent : Mr.Rms.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 612 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c) & 20(b)(ii)(A) of NDPS Act 1985 in Crime No.612 of 2023 on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that on the secret information, the respondent police inspected the grave yard which is situated at Thekkur, Thanjavur District, where the petitioner and other escaped from the place. Thereafter, the respondent found 40 grams of 7 ganja packets in the said place. After enquiry, it was found that the petitioner is used the ganja. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is the innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the respondent police have recovered 280 grams ganja, which were possessed by the petitioner. Hence, he has strongly opposed to grant anticipatory bail to the petitioner.

5.Heard both sides and perused the materials available on record.

6. On perusal of the records, it is revealed that the petitioner has escaped from the place of occurrence. The seized contraband is the commercial quantity. Drug offence causes deleterious effects and deadly impact on the society and hazard to the society. In the instant case, there is no reasonable ground for believing that the petitioner is not guilty of the said offence. Further, this the 2nd application for anticipatory bail and the earlier four application for anticipatory bail was dismissed



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as withdrawn by this Court. Successive bail applications are permissible under changed circumstances. However, this Court finds no change in circumstances of the case to grant anticipatory bail to the petitioner, though this is the second petition for anticipatory bail. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-
05/12/2023

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/12/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SKN

To

1.The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.21551 of 2023
Date :05/12/2023

ED/SKN/SAR- (08/12/2023) 3P / 3C

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