



Crl. O.P. No.18987 of 2024

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WEB COPY P.DHANABAL.J.,

The petitioner apprehends arrest for the alleged offences under Sections 8(c), 20(b)(ii)(B) of N.D.P.S. Act and Section 328 of IPC in Cr. No.341 of 2024, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that on 10.06.2024 at 8.45 hours, based on the secret information, went to the scene of occurrence i.e., Bhavani Sengadu SKT Wooden bag company backside and found the accused A1 and A2 in possession of 50 grams Ganja and also seized 4.50 kgs of Ganja and 5.7 kgs of Hans pockets from the house of this petitioner / A3 and on enquiry, it came to know that A1 and A2 had purchased the said contraband from A3 and A4 and sold the same to the public for their personal gain. Hence the case.

3.The learned counsel for the petitioner would contend that the petitioner has been arrayed as A3 based on the confession statement of co-accused, that only small quantity of contraband has been seized from the petitioner and the petitioner has not committed any offence as alleged in



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the FIR. Therefore he seeks anticipatory bail to the petitioner.

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4.The learned Government Advocate (Criminal Side) would submit that based on the secret information about the illegal transport of Narcotic substance, the police party went to the place of occurrence at the backside of the Bhavani Sengadu SKT wooden bag company and found the accused A1 and A2 in possession of 50 grams Ganja and based on the confession statement given by A1, searched the house of A3 and seized 4.500 kgs Ganja and 5.7 kg of Hans pocket and further, A1 and A2 have confessed that they had bought the said contraband from A3 and A4 for the purpose of selling the same to the public for their personal gain, that A1 and A2 were arrested and remanded to judicial custody, that the petitioner is having 26 previous cases, that investigation is not yet completed, that custodial interrogation is very essential to unearth the truth and hence if anticipatory bail is granted to the petitioner, he may flee from the investigation and he would also tamper the witness. Hence he strongly opposed to grant anticipatory bail to the petitioner.

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

6.Considering the rival submissions on either side and considering



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the gravity of offences, considering the fact that the petitioner is having so many previous cases and investigation is also pending, I am declined to grant anticipatory bail to the petitioner at this stage.

7. Accordingly, the criminal original petition is dismissed.

22.08.2024

mjs

To

- 1.The Judicial Magistrate No.I, Bhavani, Erode.
2. The Inspector of Police, Bhavani Police Station, Erode District.
3. The Public Prosecutor, High Court, Madras.



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