



CRL OP(MD) No.3232 of 2024

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

Thursday, the Twenty Ninth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3232 of 2024

SIVANPANDI

... PETITIONER / ACCUSED 3

Vs

THE INSPECTOR OF POLICE
VELIPALAYAM POLICE STATION,
NAGAPATTINAM DISTRICT.
CR.NO.552/2023

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.KUMARAVEL.K Advocate

For Respondent : Mr.B.NAMBISELVAN, Govt. Advocate (Crl. Side)

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

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO.552/2023 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/A3, who apprehends arrest at the hands of the respondent
police for the alleged offence under Sections 8(c) and 20(b)(ii)(B) of NDPS Act, 1985,
in Crime No.552 of 2023, seeks anticipatory bail.



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2.The case of the prosecution is that the petitioner and the other accused were found in possession of 4.200 kg of Ganja. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the already A1 and A2 were arrested with contraband and remanded to judicial custody. Based on their confession, the petitioner was implicated in this case. The accused Nos.4 and 5 were granted anticipatory bail by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the State submitted that already A1 and A2 were arrested with contraband and remanded to judicial custody. The petitioner/A3 is having 45 previous cases, out of which, 30 cases are similar in nature. Hence, he vehemently, opposed to grant anticipatory bail to the petitioner.

5. It appears that this is the second application for anticipatory bail and the earlier anticipatory bail application was filed by the petitioner and other accused persons in Crl.OP(MD)No.671 of 2024 and the same was dismissed by this Court on 12.01.2024, insofar as the petitioner is concerned, on the ground that the petitioner is having 45 previous cases. Now, this application is filed by the petitioner without



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referring the change of circumstances to consider the case. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

6. In the result, this Criminal Original Petition is dismissed.

sd/-
29/02/2024

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/03/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB
TO
1 THE INSPECTOR OF POLICE
VELIPALAYAM POLICE STATION,
NAGAPATTINAM DISTRICT.

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

ORDER
IN
CRL OP(MD) No.3232 of 2024
Date :29/02/2024

SA/GS/SAR. /13.03.2024/3P/3C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.