



CRL OP(MD) No.3928 of 2024

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

Tuesday, the Twelfth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3928 of 2024

RAJENDIRAN

... PETITIONER / ACCUSED No.5

Vs

THE INSPECTOR OF POLICE
VIKKARAMANGALAM POLICE STATION,
MADURAI DISTRICT.
CR. NO. 136/2023

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.THULASI, Advocate

For Respondent : MR.B.NAMBISELVAN, Additional Public Prosecutor

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO. 136 OF 2023 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for
the alleged offence under Section 8(c) r/w. Sections 20(b)(ii)(C) and 25 of Narcotic

Drugs and Psychotropic Substances Act, 1985 r/w. Section 201 IPC, in Crime No.136

<https://www.mhc.tn.gov.in/judis>



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of 2023, seeks anticipatory bail.

2.The case of the prosecution is that on secret information, the respondent Police went to the scene of occurrence and found the accused Nos.1 and 2 in illegal possession of 250 kgs of ganja and thereafter, the respondent Police made search in a van and found 96 pockets of ganja (each pocket contains 2.150 grams). Hence this complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. Based on the confession statement of the co-accused, the petitioner was implicated in this case. Hence, he prays for grant of anticipatory bail.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police submitted that the quantity involved in this case is commercial in nature and as per Section 37 of the NDPS Act, 1985, he is not entitled for anticipatory bail. Hence, he prays for dismissal of this petition.

5. Considering the facts and circumstances of the case and also considering the fact that the quantity involved in this case is commercial in nature, this Court is not inclined to grant anticipatory bail to the petitioner herein. However, after the seizure

procedure is over, the concerned Magistrate and the respondent Police are directed to



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comply with the guidelines enumerated under section 52(A) of NDPS Act and as per the guidelines issued by the Hon'ble Supreme Court of India in the case of Union of India Vs. Mohanlal and Another ((2016) 3 SCC 379).

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

sd/-
12/03/2024

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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 JUDICIAL MAGISTRATE NO.II
USILAMPATTI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE INSPECTOR OF POLICE
VIKKARAMANGALAM POLICE STATION,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.E.KANNADASAN, Advocate (SR-3141[I] dated 13/03/2024)

ORDER
IN

CRL OP(MD) No.3928 of 2024

Date :12/03/2024

PKP/JGB/SAR /19.03.2024/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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