



CRL OP(MD). No.6793 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6793 of 2024

Barnikana Pavan Kumar

... Petitioner/ Accused No.10

Vs

The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.
(Crime No.355/2023)

... Respondent/Complainant

For Petitioner : Mr.N.Vignesh, Advocate.

For Respondent : Mr.T.Senthilkumar, Additional Public Prosecutor

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

PRAYER :-

To enlarge the petitioner on bail in the event of his arrest in respect of Crime No.355/2023 on the file of the respondent police pending investigation.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police in connection with Crime No.355 of 2023 for the offence under Sections 8(c), 20(b)(ii)(B), 25 and 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 116 of IPC, has filed this petition seeking anticipatory bail.

2.The case of the prosecution is that the co-accused went to Andrapradesh and purchased huge quantity of ganja from the petitioner and A11. Hence, the case.

3.The learned counsel for the petitioner submits that apart from the confession



CRL OP(MD). No.6793 of 2024

WEB COPY

statement of the co-accused, there is no other material against the petitioner and the earlier applications filed by the petitioner in CrI.O.P.(MD)Nos.23419 of 2023 and 1765 of 2024 were dismissed by this Court vide order dated 04.01.2024 and 05.02.2024 and the same was confirmed by the Hon'ble Supreme Court in S.L.P(CrI) No.3778 of 2024. He further submits that there is a change of circumstances that the co-accused have been granted bail and the final report has been filed before the concerned court.

4.The learned Additional Public Prosecutor has raised serious objections and submits that the Non-Bailable Warrant of arrest is pending against the petitioner. He further submits that this is the petitioner's third application for anticipatory bail and the earlier two applications were dismissed by this Court on 04.01.2024 and 05.02.2024.

5.Considering the submissions made by the learned Additional Public Prosecutor and the Hon'ble Supreme Court has already rejected the request of the petitioner for the grant of anticipatory bail, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

20/06/2024

/ TRUE COPY /

/07/2024

Sub-Assistant Registrar (C.S. I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.



CRL OP(MD). No.6793 of 2024

WEB COPY
TO

1 THE INSPECTOR OF POLICE, NANGUNERI POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.N.VIGNESH, Advocate (SR-6866[I] dated 24/06/2024)

ORDER
IN

CRL OP(MD) No.6793 of 2024

Date :20/06/2024

RS/JGB/SAR-(02.07.2024) 3P 4C

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