



CrI.O.P(MD).No.8568 of 2024

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

Reserved on : 19.08.2024

Pronounced on : 21.08.2024

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

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1.Raja

... 1st Petitioner/ Accused No.3

2.Susila

... 2nd Petitioner/ Accused Rank Not Known

Vs.

State represented by
The Inspector of Police,
PEW – Thiruverambur Police Station,
Trichy District.
(Crime No.162 of 2024)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C., to enlarge the petitioners on bail in the event of their arrest by the respondent police in Crime No.162 of 2024 on the file of the Inspector of Police, PEW-Thiruverambur Police Station, Trichy District.

For Petitioners : Mr.K.C.Maniyarasu, Advocate
For Respondent : Mr.S.Ravi
Additional Public Prosecutor

ORDER

The petitioners seek anticipatory bail upon the apprehension of arrest at the



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hands of the respondent police for the alleged offences U/s.8(c) r/w 20(b)(ii)(C) of NDPS Act in Crime No.162 of 2024 on the file of the respondent police.

2. The case of the prosecution is that the petitioners, who are Accused Nos.3 and 4 are involved in transport and purchase of 20.250 kgs of Ganja.

3. The learned counsel for the petitioners has submitted that this is the second petition seeking for anticipatory bail. The petitioners are innocent persons and they have been falsely implicated upon the alleged confession statement of Accused Nos.1 & 2. He would further submit that the petitioners/Accused Nos.3 & 4 have not committed any offence as alleged by the prosecution and they are ready to abide by any condition imposed by this Court.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the contraband seized in this case is commercial quantity. The arrested Accused Nos.1 and 2 have given voluntary confession statements that only at the instigation of petitioners/Accused Nos.3 & 4, they purchased the ganja from the alleged place as stated by the petitioners. That apart, the petitioners are involved in previous cases of this nature and filed a list of previous cases pending against the petitioners. Moreover, he would submit that the petitioners' earlier anticipatory bail was dismissed by this Court on 15.05.2024 and thereafter there is no change in circumstances. Hence, he prays for dismissal of this petition.



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5. Heard both sides and perused the records in this Criminal Original Petition.

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6. It is seen from the records that the contraband involved in this case is 20.250 kgs, which is a commercial quantity. It is alleged that the said contraband 20.250 kgs was seized from the Accused Nos.1 & 2, who were found in possession of the same, upon search by the respondent police on secret information. It is further alleged that the arrested Accused Nos.1 and 2 have stated in their confession statement that they knew the petitioners and they asked for jobs from the petitioners, for which the petitioners gave money and the cell phone number of one Geetha and the petitioners further told them to go to Vijayawada for purchase of ganja. It is further alleged that the co-accused Nos.1 and 2 purchased 20.250 kgs of ganja as directed by the petitioners and on return, they were arrested. So, upon the alleged confession statement, the petitioners have been arrayed as accused.

7. Further, on perusal of records, the 1st petitioner has involved in four previous cases in Crime No.11 of 2023 under Sections 20(b)(ii)(B), 8(C) of NDPS Act @ 20(b)(ii)(B), 29(1)8(C) of NDPS Act of Trichy NIBCID Police Station and Crime No.380 of 2020 under Sections 20(b)(ii)(A), 8(C) of NDPS Act and Crime No.38 of 2020 under Sections 4(1)(a) of TNP Act of Ramji Nagar Police Station and Crime No.462 of 2024 under Sections 20(b)(ii)(B), 8(C) of NDPS Act of PEW-Thuraiyur Police Station and the 2nd petitioner has involved in six previous cases in Crime



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No.478 of 2023 under Section 20(b)(ii)(A), 8(C) of NDPS Act of PEW-Thiruverumbur Police Station and Crime Nos.56 of 2022 under Sections 20(b)(ii)(C), 25, 8(C) of NDPS Act of Ramji Nagar Police Station and Crime Nos.1636 of 2023 and 1156 of 2023 and 549 of 2021 under Sections 20(b)(ii)(A), 8(C) of NDPS Act. of Edamalaipattiputhur Police Station and Crime No.462 of 2024 under Sections 20(b)(ii)(B), 8(C) of NDPS Act of PEW -Thuraiyur Police Station. Considering the above facts and circumstances and bad antecedents of the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

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

sd/-
21/08/2024

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/08/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSD

To

1.The Inspector of Police,
PEW-Thiruverambur Police Station,
Trichy District.

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



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ORDER
IN
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Date :21/08/2024

ED/ VR /SAR- (27/08/2024) 5P / 3 C

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