



CRL OP(MD) No.18881 of 2023

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

Thursday, the Fourth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.18881 of 2023

KUMAR @ KADAVUL KUMAR

... PETITIONER/ACCUSED 4

Vs

THE INSPECTOR OF POLICE
KARIMEDU POLICE STATION
MADURAI DISTRICT
CRIME NO. 904 OF 2023

... RESPONDENT/COMPLAINANT

For Petitioner : M/S BALASUBRAMANIAN.N 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. 904 OF 2023 ON THE FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner / Accused No.4, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 8(C), 20(b)(ii)(c),

<https://www.mhc.tn.gov.in/judis> 25 and 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime



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No.904 of 2023 on the file of the respondent Police, seeks anticipatory bail.

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2. The case of the prosecution is that based on the secret information, the respondent Police intercepted the vehicle and seized 51 Kgs of Ganja from Accused Nos.1 to 3. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has nothing to do with the alleged offence. He would further submit that he is not available at the scene of occurrence. He would further submit that based on the confession statement of the other accused, he has been falsely implicated in this case. He would further submit that the contraband was recovered only from Accused Nos.1 to 3 and not from the petitioner herein. Hence, he prays for anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that totally 51 kgs of Ganja has been transported in a Car bearing Registration No.TN 81 C 7312. He would further submit that the investigation is at the preliminary stage. He would further submit that the contraband which was recovered from the petitioner is a commercial quantity. Hence, he prays for dismissal of this petition.

5. Considering the facts and circumstances of the case and also considering the fact that the contraband which was recovered from the petitioner is a commercial



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quantity, this Court is not inclined to grant anticipatory bail to the petitioner

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6. Accordingly, the Criminal Original Petition stands dismissed.

sd/-

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/01/2024

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

TSG

TO

1 THE INSPECTOR OF POLICE
KARIMEDU POLICE STATION
MADURAI DISTRICT.

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

ORDER IN
CRL OP(MD) No.18881 of 2023
Date :04/01/2024

SA/DD/SAR. /12.01.2024/3P/3C

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