



CRL OP(MD). No.19102 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19102 of 2024

Maheshwaran

... Petitioner / Accused No.2

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
VK Puram Police Station,
Tirunelveli District.
(Crime No.638 of 2024)

... Respondent/Complainant

For Petitioner : M/s.Jegadeesha Pandian.V.M,
Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No.638/2024 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

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for the alleged offences under Sections 8(c) r/w. 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 4(1)A & C of the Tamil Nadu Prohibition (Amendment) Act, 2024, in Crime No.638 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. When the matter was taken up for hearing, the learned Additional Public Prosecutor (Criminal Side), on instructions, submitted that the petitioner was in judicial custody in some other case and that on 29.10.2024, a formal arrest was made in this case in Crime No. 638 of 2024. The relevant document was also placed before this Court.

3. The learned counsel for the petitioner submitted that the petitioner has already been released on bail in the other case and presently he is not inside the jail.

4. In the considered view of this Court, when a formal arrest has been made in the present case in Crime No. 638 of 2024 as per the materials placed before this Court, there is no scope to grant anticipatory bail to the petitioner. Anticipatory bail is granted only to a person who apprehends arrest and not a person who has already been formally arrested in a case.

5. In view of the above, no further orders can be passed in this petition and accordingly, the same is closed. It is left open to the petitioner to work out his remedy in the manner known to law.



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6. In the result, this criminal original petition stands closed.

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. The Inspector of Police,
VK Puram Police Station,
Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN

CRL OP(MD) No.19102 of 2024
Date : 06.11.2024

SL(25.11.2024)/ 3P/ 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.