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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/02/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2151 of 2025

Santhosh,
S/o Pilavadi,
Chathira Vellalapatti,
Vadipatti Taluk,
Madurai District..

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Balamedu Police Station,
Madurai District.
Crime No. 268 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.Srikanth.S,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



PRAYER :-

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For Anticipatory Bail in Crime No.268 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 30.01.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 8(c), 20(b)(ii)(B), 25 and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.268 of 2024 on the file of the respondent police

3. The case of the prosecution is that on 25.12.2024, the Inspector of Police attached to the respondent Police received a secret information to the effect that a group of persons are selling ganja near Chekumadai located at Valayapatti Majamalai Temple. Hence, the Police team rushed to the spot at about 09.30 a.m. and on seeing the police team, Accused No.1 fled away from the spot and upon inspection, Accused Nos.2 and 3 were found in possession of 1.300 gms of ganja. There are totally three accused persons in this case and the petitioner has been arrayed as Accused No.1.



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4. Mr.S.Srikanth, learned counsel appearing for the petitioner has submitted that the petitioner has nothing to do with the alleged offence. He has further submitted that the petitioner has been falsely implicated in this case.

5. Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent Police has submitted that Accused Nos.2 and 3 were arrested at the scene of occurrence. He has further submitted that Accused No.2 was released on bail by the Principal Special Court for NDPS Act Cases, Madurai. He has further submitted that there are four previous cases of IPC offences pending as against the petitioner. He has further submitted that custodial interrogation is required in this case.

6. Considering the antecedents of the petitioner and considering the fact that custodial interrogation is required in this case, this Court is of the view that granting an order of pre-arrest bail would likely result in committing similar offence by the petitioner.



7. Therefore, this Court is not inclined to grant pre-arrest bail to the petitioner
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and hence, this Criminal Original Petition stands dismissed.

Sd/-
03/02/2025

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/02/2025
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,
BALAMEDU POLICE STATION,
MADURAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.2151 of 2025
Date :03/02/2025

ES/SKN/SAR /27.02.2025/4P/3C

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