

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice S. BASKARAN

CRIMINAL ORIGINAL PETITION No.4058 of 2017

1 M.THIRUNAVUKKARASU
2 V.SHANTILAL

[PETITIONERS / ACCUSED]

Vs

THE INSPECTOR OF POLICE
ROYAPURAM POLICE STATION,
CHENNAI,
CR.NO.409/2017.

[RESPONDENT]

For Petitioner : M/S.R.VIVEKANANTHAN Advocate

For Respondent : R.SEKAR, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the alleged offences under Sections 7,9(ii) Tamilnadu Prohibition of Smoking and Spitting Act and Section 353, 468, 506(i) of IPC in Crime No.409 of 2017 and seek anticipatory bail.

2.The learned counsel for the petitioners submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that there is no previous case or bad antecedents against these petitioners.

3.Learned Government Advocate (Crl.Side) submitted that the defacto complainant is doing lorry business. It is alleged that these petitioners made bookings through the clerk of the defacto complainant stating that they are chocolates. On inspection by the respondent police, it is found that it contains full of pans and tobacco products. Hence, a case had been registered against these petitioners.

4.Considering the facts and circumstances of the case and taking note of the fact that there is no previous case or bad antecedents against these petitioners, this Court is inclined to grant the relief of anticipatory bail to the petitioners.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Magistrate concerned within a period of 10 days from the date of receipt of a copy of this order, on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties each for a like sum to the satisfaction of the learned XVI Metropolitan Magistrate, George Town, Chennai, or to the satisfaction of the respondent police or the police officer who intends to arrest and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m for two weeks and thereafter, as and when required for interrogation.

-sd/-
08/03/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE METROPOLITAN MAGISTRATE,
XVI, GEORGE TOWN, CHENNAI,

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
ROYAPURAM POLICE STATION, CHENNAI,

+1 CC to M/S.R.VIVEKANANTHAN Advocate on payment of necessary charges SR.NO.4638

CRL OP.4058/2017

Date :08/03/2017

MK-10/03/2017