

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No. 13991 of 2020

Prem Kumar

... Petitioner/Accused

Vs.

The State represented by,

The Inspector of Police (L & O),

J-6, Thiruvannamiyur Police Station,

Chennai.

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail in Crime No. 1295 of 2020, pending investigation on the file of the respondent police.

For Petitioner : Mr.P.G.Santhosh Kumar

For Respondent : Mr.T.Shunmugarajeswaran

Government Advocate (CrI. Side)

O R D E R

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 31.08.2020 for the offences punishable under Sections 7 r/w 20(1) of the COTPA Act and 328 of IPC in Crime No. 1295 of 2020 on the file of the respondent police, seeks bail.

2 The case of the prosecution as per the defacto complainant viz., Vasanth Raj, who is a Sub Inspector of Police, is that, on information, he along with his party had conducted enquiry and found that the petitioner was in illegal possession of 12.280 kgs of banned tobacco substances. Hence, the complaint.

3 The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that the offences alleged are bailable in nature. Hence, he prayed to grant bail to the petitioner.

4 The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner was found in possession of 12.280 kgs of banned tobacco substances. He would further submit that the case has been registered for the offence under Sections 7 r/w 20(1) of the COTP Act and 328 of IPC. He would submit that apart from the present case the petitioner has got three previous cases of similar nature and that the investigation is pending. He would submit that the petitioner has been arrested very recently on 31.08.2020. Hence, he opposed to grant bail to the petitioner.

5 Taking into consideration the facts and submissions made by the learned counsels and also considering the fact that the petitioner has been arrested very recently on 31.08.2020 and that he has got three previous cases in similar nature, this Court is not inclined to grant bail to the petitioner. Hence, this Criminal Original Petition stands dismissed.

-sd/-

09/09/2020

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 NO.XVIII,
SAIDAPET, CHENNAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE (L & O),
J6, THIRUVANMIYUR POLICE STATION,
CHENNAI.

CC to M/S. P.G.SANTHOSH KUMAR Advocate on payment of
necessary charges

CRL OP.13991/2020

Date :09/09/2020

MK:18/09/2020

<https://hcservices.ecourts.gov.in/hcservices/>