

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No. 14062 of 2020

1.Bhaveshkumar

S/o.Jutharam

2.Sathish

S/o.Pongavanam

... Petitioners/Accused Nos.1 & 2

Vs.

The State represented by
The Inspector of Police,
Pallikonda Police Station,
Vellore District.

(Crime No.944 of 2020

Dated 18.08.2020)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioners on bail in Crime No. 944 of 2020, pending investigation on the file of the respondent police.

For Petitioners : Mr.S.Ravichandran

For Respondent : Mr.T.Shunmugarajeswaran

Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioners who were arrested and remanded to judicial custody on 18.08.2020 for the offences punishable under Sections 7(5) and 20(2) Cigarette and other Tobacco Products Act, 2003 and 328 of IPC, 1860, in Crime No.944 of 2020, on the file of the respondent police, seek bail.

2 The case of the prosecution is that the petitioners were found in illegal transportation banned tobacco products weighing 787 kgs, which worth Rs.7,83,300/-. Hence, the complaint.

3 The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays to grant bail to the petitioners.

4 The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioners were arrested on 18.08.2020 for being found in possession of huge quantity of banned tobacco products, worth Rs.7,83,300/-. He would submit that the first accused belongs to Rajasthan and the second accused belongs to Krishnagiri and that yet another accused has to be apprehended. He would further submit that taking into consideration the huge quantity, the respondent police have to conduct investigation with regard to the source of materials. Hence, he opposed to grant bail to the petitioners.

5 Taking into consideration the facts and submissions made by the learned counsels and considering that fact that the petitioners were found in huge quantity of banned tobacco products and considering the fact that the investigation is at initial stage, this Court is not inclined to grant bail. Hence, this Criminal Original Petition stands dismissed for the present.

-sd/-

10/09/2020

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 JUDICIAL MAGISTRATE,
NO.V, VELLORE

2 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
PALLIKONDA POLICE STATION,
VELLORE DISTRICT.

CC to M/S.S.RAVICHANDRAN Advocate on payment of necessary charges

CRL OP.14062/2020

Date :10/09/2020

RD 25/09/2020