

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2020

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No. 16985 of 2020

P.Muralidharan @ manali Murali

... Petitioner

Versus

State by

... Respondents

The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai.
Crime No.1132 of 2020.

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail, pending investigation of the case in Crime No.1132 of 2020 on the file of the respondent police.

For Petitioner : Mr.S. Santhosh

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (Crl.Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 02.10.2020 for the offences punishable under Sections 328 and 273 of I.P.C in Crime No.1132 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused persons were found in possession of 1668 kilograms of Banned Tobacco products worth about Rs.5,00,000/- and they were selling the same to school and college going students. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. The petitioner's wife died on 13.09.2020 hence, he could not have been present at the occurrence place. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner along with other accused persons were in possession of 1668 kilograms of Tobacco products worth about

Rs.5,00,000/- services. He would further submit that there are totally 5

accused in this case and the petitioner herein is arrayed as A5 and A2 in this case is still in custody. He would further submit that the investigation is in preliminary stage and if the petitioner is released on bail, he may be committing the same offence. Hence, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. It is seen that allegation against the petitioner is that he is a wholesale dealer of banned tobacco product. A2 and A3 are still absconding. Confession statement of A1 was recorded based on which this petitioner was arrested only on 02.10.2020. Therefore, considering the serious nature of offence committed by the petitioner and the investigation is still in preliminary stage, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original petition is dismissed.

-sd/-

22/10/2020

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.X, EGMORE.

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
P-6, KODUNGAIYUR POLICE STATION,
CHENNAI.

5 THE OFFICER INCHARGE
SUB JAIL, MADURANTHAKAM.

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

CRL OP.16985/2020

Date :22/10/2020