

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.20556 of 2020

Thundi

...Petitioner

Vs.

State Rep. by
The Inspector of Police,
C-3, Saibaba Colony Police Station,
Coimbatore.
(Crime No.1286 of 2020)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C., to enlarge the petitioner on bail in connection with Crime No.1286 of 2020, pending investigation on the file of the respondent.

For Petitioner : Mr.M.Gnanasekar

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

ORDER

(This case has been heard through video conference)

The petitioner is the accused in Crime No.1286/2020 of C-3, Saibaba Colony Police Station, Coimbatore, for the alleged offences under Section 273, 328 of IPC and Sections 7(1), 20(1) of Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation and Trade and Commerce, Production Supply and Distribution) Act 2003, in Crime No.1286 of 2020, has filed this petition, seeking grant of bail.

2.The case of the prosecution is that the petitioner was found illegally in possession of 20 Kgs. of banned tobacco products, worth Rs.1 Lakh.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is running a petty shop near Aavarampalayam. On the date of occurrence, the petitioner went to purchase grocery items for his shop. At that time, the respondent police wrongly identified this petitioner and remanded him to judicial custody on 11.11.2020. and prayed to release the petitioner on bail.

4.The Learned Government Advocate (Crl.Side) would vehemently oppose stating that the petitioner has involved in 15 previous cases, out of which, 7 cases are registered for the offences under Section TNP Act and 8 cases are registered for the offences under Section COTP Act.

5.Taking into consideration of the facts and submissions made by the learned Government Advocate and also the fact that the petitioner has been arrested very recently on 11.11.2020 and that he has involved in 15 other cases out of which 8 are of similar nature, this court is not inclined to grant bail to the petitioner.

6.This Criminal Original Petition stands dismissed accordingly for the present.

-sd/-
22/12/2020

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 INSPECTOR OF POLICE,
C-3, SAIBABA COLONY POLICE STATION,
COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

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

CRL OP.20556/2020

Date :22/12/2020

MN-07/01/2021