



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Date : 13/05/2020

WEB COPY

PRESENT

**The Hon`ble Dr.Justice G.JAYACHANDRAN**

**CRL OP(MD) . No.5305 of 2020**

M.Muthukumar, ... Petitioner/Accused No.1  
Vs

State Represented by  
The Inspector of Police,  
Sivakasi Town Police Station,  
Sivakasi,  
Virudhunagar District.  
(Crime No.444 of 2020).

... Respondent/Complainant

For Petitioner : M/s.Lakshmi Gopinathan,  
Advocate.  
For Respondent : Mr.S.Chandrasekar,  
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 444 of 2020 on the file of the Respondent Police.

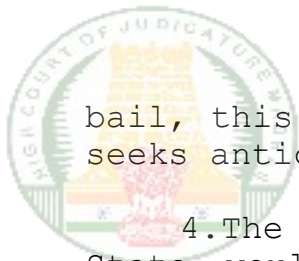
ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under Sections 328, 353 and 506(2) of I.P.C. r/w Section 6(b) and 24(1) of Cigarette and other Tobacco Products Acts 2003, seeks anticipatory bail.

2.The allegation against the petitioner is that he was having in possession of nicotine leaves pocket worth Rs.1,20,000/- and distributed it to two petty shops during the lock down period.

3.The learned counsel appearing for the petitioner states that it is a foisted case. Since in the earlier case, the petitioner got

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



bail, this case has been fabricated and foisted against him. Hence, seeks anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the State would submit that there are few more cases against this petitioner and habitually distributing nicotine leaves pocket illegally to public causing health hazard.

5.Considering the nature of the complaint against this petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Hence, this petition is dismissed for the prosecution to conduct the investigation, taking custody of the petitioner and ascertain the source of nicotine leaves pocket.

sd/-  
13/05/2020

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/ /2020  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

- 1 THE INSPECTOR OF POLICE,  
SIVAKASI TOWN POLICE STATION,  
SIVAKASI,  
VIRUDHUNAGAR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN  
CRL OP(MD) No.5305 of 2020  
Date :13/05/2020

sjj  
AE/PN/SAR-II (14.05.2020) 2P 3C