

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.03.2021

CORAM :

THE HON'BLE MR. JUSTICE V. BHARATHIDASAN

CrI.O.P.No.4161 of 2021

Muthupandi

... Petitioner

Vs.

... Respondent

The State Rep. by
The Inspector of Police,
Ennore Police Station
Chennai.
(Crime No.3989 of 2020)

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of his arrest in Crime No. 3989 of 2020 pending investigation on the file of the Respondent.

For Petitioner : Mr.M.Ganesh Babu

For Respondent : Mr.S.Karthikeyan
Addl. Public Prosecutor

ORDER

(The case has been heard through video conference)

The petitioner apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 353, 506 (i) of I.P.C. and Section 7 and 20(1) of Cigarette and other Tobacco Products Acts, 2003 in Crime No. 3989 of 2020, on the file of the respondent police, and now, he has filed this petition seeking to grant anticipatory bail.

2. The case of the prosecution is that on the date of occurrence, when the respondent police conducted checkup, they found that the petitioner was carrying 195 kgs. of banned tobacco products in his two wheeler. Hence, a criminal case has been registered against the petitioner and now, apprehending arrest, the present petition has been filed seeking for anticipatory bail.

3. The learned counsel appearing for the petitioner submitted that this is the third anticipatory bail application. He would submit that A1 and A2 were arrested and released on bail. He would

also submit that he is an innocent person, he is no way connected with the offence, and he has been falsely implicated as accused in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner is an habitual offender and he is having two previous cases. Hence, he opposed to grant anticipatory bail to the petitioner.

5. I have heard and considered the rival submissions made by the learned counsel appearing for petitioner as well as learned Additional Public Prosecutor and perused the records.

6. Taking into consideration of the facts and circumstances, the petitioner is having bad antecedents and also considering the fact that the petitioner was in possession of 179 kgs. of banned tobacco products. Hence, this is not a fit case to grant anticipatory bail. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

03/03/2021

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,
THIRUVOTTIYUR.

2 THE CHIEF JUDICIAL MAGISTRATE,
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ENNORE POLICE STATION
CHENNAI.

+1 CC to M/S.GANESH BABU Advocate on payment of necessary charges SR.NO.2823

CRL OP.4161/2021

Date :03/03/2021