

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Second day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.3065 of 2021

1 K.S.BIBIN [PETITIONERS / ACCUSED]
2 E.SARAFUDHEEN

Vs

THE STATE REP BY ITS, [RESPONDENT]
THE INSPECTOR OF POLICE,
MAHALINGAPURAM POLICE STATION,
POLLACHI,
COIMBATORE DISTRICT.
FIR NO.1036 OF 2020.

For Petitioner : M/S.S.N.AMARNATH Advocate

For Respondent : MR.S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 7(1), 20 of COTPA Act 2003 r/w Section 273 of I.P.C in Crime.No.1036 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the the petitioner was in possession of 120 kgs of banned Tobacco Products. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and is no way connected with the alleged offence. Hence he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that all the alleged offence are bailable offence and that he got instructions from the respondent police that the F.I.R was altered u/s 328 of I.P.C, which is non bailable in nature. However he has not produced any materials to show that the F.I.R has been altered.

5. Considering the fact that all the above offences are bailable offences, petitioner cannot maintain this anticipatory bail petition and the same is liable to be dismissed. Accordingly, this Criminal Original petition is dismissed.

-sd/-
02/03/2021

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 INSPECTOR OF POLICE,
MAHALINGAPURAM POLICE STATION,
POLLACHI,
COIMBATORE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S.S.N.AMARNATH Advocate on payment of necessary charges SR.NO.2603

CRL OP.3065/2021

Date :02/03/2021

TA-11/03/2021

सत्यमेव जयते

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