

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Ninth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.6041 of 2021

M.MOHAMMED SUFIYAN

[PETITIONER / ACCUSED]

Vs

[RESPONDENT]

STATE REP BY
THE SUPERINTENDENT OF GST AND CENTRAL EXCISE,
ECM SECTION,
CHENNAI OUTER COMMISSIONERATE,
NEWRY TOWERS,
NO.2054, I-BLOCK,
II-AVENUE, ANNA NAGAR,
CHENNAI-600 040.
CRIME No.NOT KNOWN

For Petitioner : M/S.D.RAJAGOPAL Advocate

For Respondent : MR. N.P.KUMAR,
Special Public Prosecutor, for GST, Cases

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

ORDER : The Court Made the following order :-

The petitioner who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 132 of the CGST Act, 2017 in Cr.No.Not known on the file of the respondent police, seek anticipatory bail.

2.For evasion of CGST, the Authorities issued summons. Apprehending arrest, this petition has been filed.

3.The learned counsel appearing for the petitioner would submit that the petitioner is a street vendor purchasing vegetables from the whole sale dealer and sell in the market, however, the CGST Authorities have issued summons to the petitioner.

4.The learned Standing Counsel appearing for the respondent would submit that the petitioner did not co-operate with the investigation and further submitted that only summons was issued and

there is no apprehension of arrest at the relevant point of time and further submitted that only after completing investigation arrest will be made.

5.Now only a summon has been issued by the Authority under Section 70 of the Central Goods and Services Act, 2017. Hence, the petitioner without appearing for enquiry, cannot approach this Court seeking anticipatory bail.

6.Hence, this criminal original petition, in the opinion of this Court is mis-conceived and the same is dismissed. However, the petitioner is directed appear before the Authority for enquiry and co-operate for investigation.

-sd/-
09/04/2021

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 SUPERINTENDENT OF GST AND CENTRAL EXCISE,
ECM SECTION, CHENNAI OUTER COMMISSIONERATE,
NEWRY TOWERS,
NO 2054,I-BLOCK, II-AVENUE,
ANNA NAGAR, CHENNAI-040.

2.THE SPECIAL PUBLIC PROSECUTOR for GST, CASES
HIGH COURT, MADRAS.

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

CRL OP.6041/2021

Date :09/04/2021

RG.03.05.2021