

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.7081 of 2021

MAGESH @ S.MAGESHKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
RED HILLS POLICE STATION,
CHENNAI.

(CR.NO.116/2021)

For Petitioner : M/S.M.I.JAVID AKBAR Advocate

For Respondent : MR.T.SHUNMUGA RAJESWARAN,
Government Advocate (crl.side)

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 offences punishable under Section 328 of IPC and Section 7, 20(2) of the Cigarette and other Tobacco Products Acts 2003 in Crime No.116 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused have transported 7650 Kgs of TOBACCO products without any valid license or permit. Hence, the complaint.

3. The learned Counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and a false case has been foisted against him. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that petitioner along with other accused have transported the TOBACCO products of 7650 Kgs without any valid license or permit, its worth about Rs.80,00,000/- (Rupees eighty lakhs). He would further submit that A1 to A4 have already been arrested and in judicial custody.

However, he he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the allegations and that the custodial interrogation of the petitioner is essential, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

16/04/2021

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 INSPECTOR OF POLICE,
RED HILLS POLICE STATION,
CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, CHENNAI-104

CC to M/S.M.I.JAVID AKBAR Advocate on payment of necessary charges

CRL OP.7081/2021

Date :16/04/2021

cs 23/06/2021

WEB COPY