

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Thirteenth day of May Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice G. CHANDRASEKHARAN

CRIMINAL ORIGINAL PETITION Nos.9057 & 9161 of 2021

MANGUSINGH @ MANSING

[PETITIONER / ACCUSED
IN BOTH THE PETITIONS]

Vs

THE STATE REP BY [RESPONDENT
STATION HOUSE OFFICER, IN CRL.OP.NO.9057/2021]
PORTO NOVA POLICE STATION,
CUDDALORE DISTRICT.
CRIME NO.57 OF 2021

THE STATE REP BY [RESPONDENT
THE INSPECTOR OF POLICE, IN CRL.OP.NO.9161/2021]
CHIDAMBARAM TOWN POLICE STATION,
CUDDALORE DISTRICT.
CRIME NO.365 OF 2021

For Petitioner : M/S.S.GIRI THARAN Advocate
[IN BOTH THE PETITIONS]

For Respondent : M/S.S.KARTHIKEYAN, Additional Public Prosecutor
[IN BOTH THE PETITIONS]

PETITIONS FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 29.03.2021 for the offences punishable under Sections 273 and 328 of IPC read with Section 20(2) of Cigarette and other Tobacco Products Act 2003 in Crime No.57 of 2021, on the file of the Inspector of Police, Porto Nova Police Station, Cuddalore District and also for the offences under Sections 294(b), 353, 273, 328 and 307 of IPC read with Section 77 of the Juvenile Justice (Care and Protection of Children) Act in crime No.365 of 2021 on the file of the Inspector of Police, Chidambaram Town Police Station, Cuddalore District, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused said to have been involved in selling of banned tobacco products. When the police party, on specific information, had a search in Suntha General Store in Kothaval Street on 29.03.2021 at about 12.00 noon, the accused prevented the police party from entering into the shop and tried to attack the defacto complainant with an iron rod. Subsequently, it was found that the petitioner possessed the banned tobacco products.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and co-accused have already been released on bail by this Court. Hence, he seeks to grant of bail to the petitioner.

4. The learned Additional Public Prosecutor strongly opposed this petition on the ground that he has two previous cases and then this case and another case listed today in Crl.O.P.No.9057/2021, the case in Crl.Op.No.9161 of 2021 is concerned, he was found in possession of 1100 Kgs. of banned tobacco products worth about Rs.11 Lakhs and a case in Crl.OP.No.9057 of 2021 is concerned, he was found in possession of 3 1/2 Kgs. of banned tobacco products worth about Rs.40,000/- and the same was recovered by the respondent police.

5. Taking note of the facts and circumstances of the case and also the fact that the petitioner is involved in similar offences previously and now he has two cases of similar nature; and he along with other accused said to have been prevented the public servant from performing their duty, attempted to commit murder of him, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, these Criminal Original Petitions are dismissed.

-sd/-

13/05/2021

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 STATION HOUSE OFFICER,
PORTO NOVA POLICE STATION,
CUDDALORE DISTRICT.

2 THE INSPECTOR OF POLICE,
CHIDAMBARAM TOWN POLICE STATION,
CUDDALORE DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

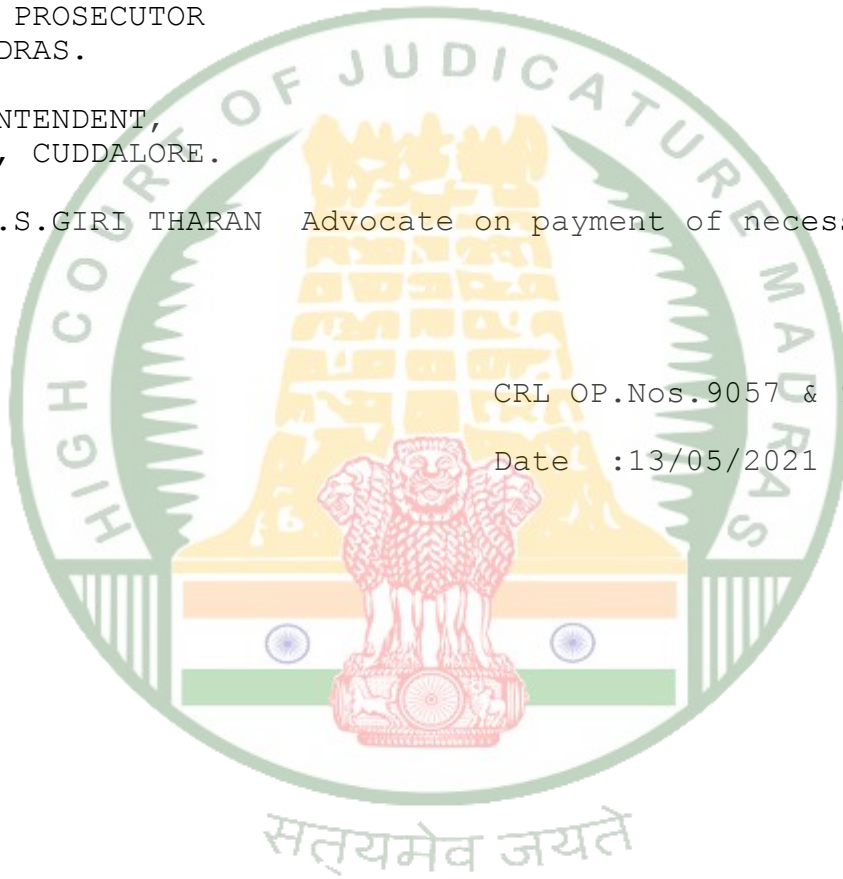
4 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

CC to M/S.S.GIRI THARAN Advocate on payment of necessary charges

CRL OP.Nos.9057 & 9161/2021

Date :13/05/2021

cs 09/06/2021



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