



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.05.2021

CORAM

WEB COPY

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.9390 of 2021

Narayana Selvan.S

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
Bargur Police Station,
Erode District,
Cr.No.36 of 2021

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest in Crime No.36 of 2021 on the file of the respondent police.

For Petitioner: Mr. T.Nixon

For Respondent: Mr.A.Damodaran

Government Advocate(Crl side)

O R D E R

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 273 and 328 of IPC and u/s 7 & 24(1) of Cigarette and other Tobacco Products Acts 2003 in Cr. No.36 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that, during the regular vehicle checking at Anthayur Road, Bargur Check Post Police Station limit, the petitioner was found carrying 3150 packets of Hans and 300 packets of cool lip in a vehicle bearing No.TN 38-CR-2525, which are harmful to the human being life and which are also prohibited by the Government of Tamilnadu under Narcotic Drugs Rule and when the driver was enquired and asked to open the turbolin on the back side, he ran away into the deep forest. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was only the driver and he was not aware of the products inside the vehicle and he is innocent and nothing to do with the alleged offence and a false case has been registered against the petitioner and the petitioner is no way connected with the alleged occurrence. Hence, he prays to grant anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor submitted that the the petitioner was found carrying 3150 packets of Hans and 300 packets of cool lip in a vehicle bearing No.TN 38-CR-2525, which are harmful to the human being life and which are also prohibited by the Government of Tamilnadu under Narcotic Drugs Rule and further submitted that the case is still under investigation and details of the owner of the vehicle could not be traced due to the absconding of the petitioner and hence, strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the grave nature of the offence levelled against the petitioner and also the fact that the case is still under investigation, at this stage of the matter, this Court is not inclined to grant the Anticipatory Bail prayed for by the petitioner and accordingly, the Criminal Original Petition is dismissed.

-sd/-
26/05/2021

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 INSPECTOR OF POLICE,
BARGU POLICE STATION,
ERODE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.T.NIXON Advocate on payment of necessary charges

CRL OP.9390/2021

Date :26/05/2021

MK:30/06/2021