

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.05.2021

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.No.9393 of 2021

Gowthamraj

... Petitioner/A2

Vs.

State rep by:-

The Inspector of Police,  
Poonamallee Police Station,  
Thiruvallur District.  
(Crime No.242 of 2021)

... Respondent

**PRAYER:** Criminal Original Petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioner on bail in Crime No.242 of 2021 on the file of the respondent police.

For Petitioner : Mr.J.Ganesh

For Respondent : Mr.A.Gopinath  
Government Advocate (Crl side)

**ORDER**

**(Through Video Conference)**

The petitioner who was arrested on 12.04.2021 and remanded to judicial custody for the offences under Sections 24(1) of Cigarettes and other Tobacco Product Act, 2003 r/w Section 328 of the Indian Penal Code, 1860 in Crime No.242 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused were transported 1300 Kgs of Tobacco Product illegally by using Lorry. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that A3 in this case who is the owner of the lorry had already been granted bail by this Court vide order dated 12.05.2021 in Crl.O.P.No.9016 of 2021. He would further submit that he is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays to grant bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent would vehemently oppose to grant of bail to the petitioner stating that the petitioner is a habitual offender and also other similar cases have been pending against him.

5.Taking into consideration, the submissions made by the learned Government Advocate (Crl.Side) and also some other cases have been pending against the petitioner, this Court feels that this is not a fit case for grant of bail.

6.This Criminal Original Petition stands dismissed accordingly.

-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,  
POONAMALLEE POLICE STATION,  
THIRUVALLUR DISTRICT.

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,  
CENTRAL PRISON, PUZHAL.

CC to M/S.J.GANESH Advocate on payment of necessary charges

सत्यमेव जयते

CRL OP.9393/2021

Date :26/05/2021

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TA-16/06/2021