



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Tuesday, the Thirty First day of August Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.15623 of 2021

BALAJI

[PETITIONER / ACCUSED]

Vs

STATE OF TAMIL NADU,
REPRESENTED BY:
THE INSPECTOR OF POLICE,
K-9, T.V.K. NAGAR POLICE STATION,
LAW AND ORDER,
CHENNAI 600 011
CRIME.NO. 976 of 2021.

[RESPONDENT]

For Petitioner : M/S.B.KALAIARASAN Advocate

For Respondent : MR. A.GOPINATH, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested on 16.08.2021 and remanded to judicial custody for the alleged offences punishable under Section 328 of the I.P.C., 1860 in Crime No.976 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was in possession of 3 kgs of banned tobacco products. Hence, the complaint.

3.Today when the matter is taken up for hearing the learned counsel for the petitioner submitted that the petitioner filed a petition before the Session Court in Crl.M.P.14170 of 2021 and the same was dismissed. Thereafter, the petitioner had filed the present petition before this Court. Pending consideration of the petition he has filed second bail petition suppressing the pendency before the Sessions Court in Crl.M.P.No. 14726 of 2021 and the petitioner was granted bail by the Sessions Court on 31.08.2021.



4. The learned counsel appearing for the petitioner further submits that as per the instructions given by the wife of the petitioner to the counsel who appeared in trial court, the bail application was filed in lower court and he was not aware of the second bail application.

5. From the above acts it is evident that the petitioner has suppressed the fact about the second bail application filed in the Court below and filed the present petition, which is grave in nature. Accordingly this petition is dismissed with a cost of Rs.10,000/- payable to the Tamil Nadu Legal Services Authority, Chennai

6. The Registry is directed to forward a copy of the order to the Principal Sessions Judge, Sessions Court, Chennai for appropriate action against the petitioner relating to the bail granted to him and send a report to this Court.

-sd/-
31/08/2021

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 PRINCIPAL SESSIONS JUDGE,
SESSIONS COURT, CHENNAI.

2 THE INSPECTOR OF POLICE,
K-9, T.V.K. NAGAR POLICE STATION,
LAW AND ORDER,
CHENNAI 600 011.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



5 THE SECRETARY,
TAMIL NADU LEGAL SERVICES AUTHORITY, HIGH
COURT, MADRAS.

WEB COPY

CC to M/S.B.KALAIARASAN Advocate on payment of necessary charges

CRL OP.15623/2021

Date :31/08/2021

INBA 03/09/2021