

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2021

CORAM

THE HON'BLE MR. JUSTICE V. BHARATHIDASAN

Crl. OP.No.17752 of 2020

Muthupandi

... Petitioner/Accused

Vs.

State rep. By
Inspector of Police,
Ennore Police Station,
Chennai.

(Crime No.3989 of 2020)

... 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.3989 of 2020 on the file of the respondent police.

For Petitioner : Mr.M.Mohamed Riyas

For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

(This case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 353, 506(1) of IPC and under Section 7 and 20(1) of Cigarette and other Tobacco Products Acts 2003, in Crime No.3989 of 2020, seeks anticipatory bail.

2. There are totally three accused involved in the crime. The case of the prosecution is that during the regular check up of the vehicles by the respondent police, the police on search of a two-wheeler, they found a bags containing banned tobacco products weighing with 195 kgs of banned tobacco. Hence, a case has registered against the petitioner and two others.

3. The learned counsel appearing for the petitioner would submit that the petitioner was not involved in the crime and he was not transporting banned tobacco products and his name was falsely implicated in the FIR.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that totally there were three persons involved in the crime in transporting the banned tobacco products weighing about 195 kgs of banned tobacco. The petitioner and the other accused persons are the habitual offenders and in Andhra Pradesh State also, a case was registered against the petitioner and there were three previous cases pending against the petitioner.

5. Considering the submissions made by the learned Additional Public Prosecutor and since the petitioner has been involved in the crime of transporting banned tobacco products weighing 195 kgs and in view of the fact that the petitioner is a habitual offender against whom there were previous antecedents of having involved in three similar cases, this Court is not inclined to entertain the present petition.

6. Accordingly this Criminal Original Petition is dismissed.

-sd/-

27/01/2021

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.

सत्यमेव जयते

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, THIRUVOTTIYUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

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3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

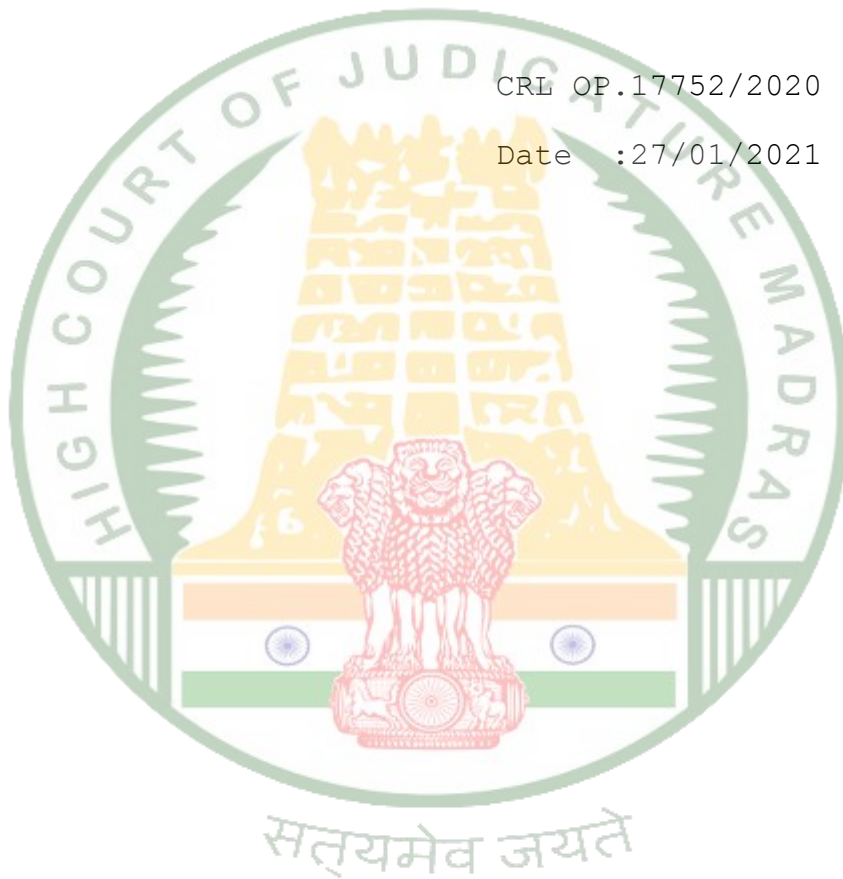
4 THE INSPECTOR OF POLICE,
ENNORE POLICE STATION,
CHENNAI.

CC to M/S.M.MOHAMED RIYAS Advocate on payment of necessary
charges

CRL OP.17752/2020

Date :27/01/2021

cs 26/02/2021



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