



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

Tuesday, the Second day of November Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.20797 of 2021

M.MATHIYALAGAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
RAYAKOTTAI POLICE STATION,
KRISHNAKIRI DISTRICT.
CR.NO. 76 OF 2021.

[RESPONDENT]

For Petitioner : M/S. P.MUTHAMIZHSELVAKUMAR Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate (Cr1. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Section 273, 328 of Indian Penal Code and R/w Section 7 and 20(1) of Cigarette and other Tobacco Products Act-2003 in Cr.No.76 of 2021 on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the head constable of the Police Department, who waylaid the other accused persons who illegally transported banned tobacco products and collected bribe of Rs.2,50,000/- from them for disbursal of the said amount to the other police officials. Thereby, the respondent police registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Cr1.Side) submitted that the petitioner, who is head constable of Police Department had waylaid the other accused persons who illegally transported banned tobacco products and received bribe of Rs.2,50,000/- from them. He further



submitted that the said amount was recovered from the petitioner by the respondent police. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and considering the serious allegation levelled against the petitioner, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the petition seeking anticipatory bail is dismissed.

6. Further, this Court directs the Superintendent of Police, Krishnagiri District to transfer the matter to Directorate of Vigilance and Anti-Corruption (DVAC) since the petitioner, who is head constable of Police Department is alleged to have received bribe of Rs.2,50,000/- from the other accused persons for disbursal of the same to the other police officials and a detailed investigation by the Vigilance and Anti-Corruption Department is necessary in this case.

-sd/-
02/11/2021

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,
RAYAKOTTAI POLICE STATION,
KRISHNAGIRI DISTRICT.

2 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT OF POLICE,
KRISHNAGIRI DISTRICT

CC to M/S. P.MUTHAMIZHSELVAKUMAR Advocate on payment of necessary charges

CRL OP.20797/2021
Date :02/11/2021

INBA-17/11/2021