



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Ninth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.20945 of 2021

K.JOSEPH

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
P6-KODUNGAIYUR POLICE STATION,
CHENNAI 600118
(CRIME NO.2671/2021)

[RESPONDENT]

For Petitioner : M/S V.GOPALSAMY Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (CrI. 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 7 & 9(ii) of Tamilnadu Prohibition of Smoking and Splitting Act, 2002 r/w Section 273 & 328 of IPC in Cr.No.2671 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of banned tobacco products in his petty shop. Thereby, the law enforcing agency 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. He further submits that based on the false confession statement given by the accused/A-1 that the petitioner had sold the banned Gutkha products to him, the petitioner has been falsely implicated in this case. however, the petitioner is willing to abide any condition as imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.



4.The learned Government Advocate submitted that the petitioner was involved in illegal possession of banned tobacco products in his petty shop and there are six previous cases pending against the petitioner and further submits that the investigation is pending in this case. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the previous cases pending against the petitioner and that the investigation is not yet completed, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the petition seeking anticipatory bail is dismissed.

-sd/-

09/11/2021

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,
P6-KODUNGAIYUR POLICE STATION,
CHENNAI 600118

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S V.GOPALSAMY Advocate on payment of necessary charges

CRL OP.20945/2021

Date :09/11/2021

APN 17/11/2021