



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Seventeenth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.21500 of 2021

MATHIYALAGAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ROYAKOTTAI POLICE STATION,
KRISHNAGIRI DISTRICT.
CRIME NO.76/2021.

[RESPONDENT]

For Petitioner : M/S. R.THIRUMOORTHY Advocate

For Respondent : MR.S.SUGENDRAN, GOVERNMENT ADVOCATE [CRL. SIDE]

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

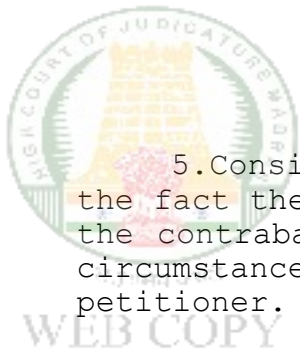
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence punishable under section 273, 328 of IPC read with 7 and 20(1) of Cigarette and Other Tobacco Products Act, 2003 in Crime 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 alleged to have collected a sum of Rs.4 Lakhs from the other accused who were found in possession of 990 Kgs. of tobacco products. The petitioner is the Head Constable and he is arrayed as A7 in this case. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he 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 bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submitted that the petitioner is the head Constable and other accused persons are police officials, instead of seizing the contraband, they have collected a sum of Rs.4 lakhs from the other accused person. The accused persons were absconding. Hence, the learned Government Advocate vehemently opposed to grant anticipatory bail to the petitioner.



5. Considering the facts and circumstances of the case and also the fact the accused persons are police officials, instead of seizing the contraband, they were collected bribe and there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
17/11/2021

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,
ROYAKOTTAI POLICE STATION,
KRISHNAGIRI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. R. THIRUMOORTHY Advocate on payment of necessary charges

CRL OP.21500/2021

Date :17/11/2021

TA-25/11/2021