



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

Monday, the Eighth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.20970 of 2021

1 OM PRAKASH
2 PRAKASH

[PETITIONERS / ACCUSED]

Vs

[RESPONDENT]

STATE REP BY
INSPECTOR OF POLICE,
SHOLAVARAM POLICE STATION,
TIRUVALLUR DISTRICT
(CRIME NO.1405/2021)

For Petitioner : M/S N.SENTHIL KUMAR Advocate

For Respondent : MR.A.GOKULAKRISHNAN, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioners who was arrested and remanded to judicial custody on 05.10.2021 for the offences under Sections 294(b), 353, 307, 506(ii) IPC, 24(1), 6(a) of Cigarette and Other Tobacco Products Act 2003 and Section 328 of IPC, in Crime No.1405 of 2021, on the file of the respondent police, seek bail.

2. The case of the prosecution is that 05.10.2021 when the respondent police were conducting vehicle check up near Vijayanallur Toll Plaza, the accused came in a car and on search of the vehicle, it was found that there were banned tobacco items Cool Lips, Hans, M.D.M. Vimal and RMD in 23 bags and when the respondent police enquired them, the accused abused them in filthy language and retrained them from discharging their duties and also attempted to assault them. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioners are innocent and they not committed any offence as alleged by the prosecution and they have been falsely implicated in the case and that the petitioners have been suffering incarceration for more than 30 days from 05.10.2021. He would further submit that



the petitioners are prepared to abide by any stringent condition that may be imposed on them and he would pray for grant of bail to the petitioners.

4. The learned Additional Public Prosecutor would strongly object stating that the petitioners are arrayed as A1 and A2 they are habitual offenders and that A1 has got 2 two previous cases and A2 has got one previous case and proceedings have been initiated to detain the petitioners under Goondas.

5. Considering the nature of offence and the fact that the petitioners have got previous cases against them, this Court is not inclined to grant bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

08/11/2021

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 SUPERINTENDENT,
CENTRAL PRISON, PUZHAL,
CHENNAI

2 INSPECTOR OF POLICE,
SHOLAVARAM POLICE STATION,
TIRUVALLUR DISTRICT

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S N.SENTHIL KUMAR Advocate on payment of necessary charges

CRL OP.20970/2021

Date :08/11/2021

RVR 15/11/2021