



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Eighteenth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.21766 of 2021

PRAKASH

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
E-5 ,SHOLAVARAM POLICE STATION,
TIRUVALLUR DISTRICT.
(CRIME NO.1405/2021)

[RESPONDENT]

For Petitioner : M/S. N.SENTHIL KUMAR Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

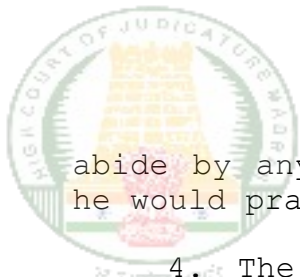
ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 05.10.2021 for the offences under Sections 294(b), 353, 307, 506 (ii) IPC, and 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, seeks 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 restrained them from discharging their duties and also attempted to assault them. Hence the complaint.

3. The learned counsel for the petitioner would submit that this is the second application for bail and the earlier application was dismissed by this Court in Crl.O.P.No.20970 of 2021 dated 08.11.2021. He would further submit that the petitioner has been falsely implicated in the case and he has been suffering incarceration for about 45 days from 05.10.2021. The co-accused / A3 and A10 have been granted bail by the lower Court and the petitioner is prepared to



abide by any stringent condition that may be imposed on him. Hence, he would pray for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would raise objection stating that the petitioner has got two previous cases of similar nature.

5. Considering the nature of offence and the fact that the petitioner has got two previous cases of similar nature, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
18/11/2021

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,
E-5 ,SHOLAVARAM POLICE STATION,
TIRUVALLUR DISTRICT.

2 THE OFFICER INCHARGE,
SUB JAIL, PONNERI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. N.SENTHIL KUMAR Advocate on payment of necessary charges SR.NO.13148

CRL OP.21766/2021

Date :18/11/2021

CSK 25/11/2021