

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Thirtieth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.22873 of 2021

PRAKASH

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
E-5 SHOLAVARAM POLICE STATION,
THIRUVALLUR DISTRICT.
IN CR. NO. 1405 OF 2021

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

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

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

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) of IPC and 24(1), 6(a) of Cigarette and other Tobacco Products Act 2003 and 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 on the date of occurrence, when the respondent police officials were conducting regular vehicle check up near Vijayanallur Toll Plaza, the petitioner was found in possession of banned tobacco items viz., Cool Lips, Hans, M.D.M. Vimal and RMD in 23 bags and while enquiring about the possession of the products, the petitioner abused and prevented the police officials from doing their duty. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case. He would further submit that A3 has been granted bail by the lower Court and that the petitioner has been suffering incarceration for about 50 days from 05.10.2021 and hence, he would pray for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would raise strong objection stating that the petitioner is arrayed as A2 and he is the friend of A1 and that the main accused /A1 has been detained under Goondas . He would further submit that the investigation has not been completed.

5.On seeing the quantity of the tobacco products and that the investigation has not been completed, therefore, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

30/11/2021

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,
THIRUVALLUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL-II.

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

CRL OP.22873/2021

Date :30/11/2021

RW 13/12/2021