



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

Thursday, the Ninth day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.23843 of 2021

M.MATHIYALAGAN

[PETITIONER / ACCUSED]

Vs

1 STATE REP BY
INSPECTOR OF POLICE,
RAYAKOTTAI POLICE STATION,
KRISHNAKIRI DISTRICT.
CR.NO.76 OF 2021.

[RESPONDENT]

NOW TRANSFER
DIRECTORATE OF VIGILANCE AND ANTI CORRUPTION,
BYANAPALLI VILLAGE,
BANGALORE MAIN ROAD,
RAMAPURAM POST,
KRISHNAGIRI DISTRICT,
KRISHNAGIRI-635 115.

For Petitioner : M/S.R.BALAGURU SWAMY Advocate

For Respondent : M/S. S.BALAJI, Govt. 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 under Section 273, 328 of Indian Penal Code and R/w Section 7 and 20(1) of Cigarette and other Tobacco Products Act-2003 in Cr.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 the head constable of the Police Department, who waylaid the other accused persons who illegally transported banned tobacco products and collected bribe of Rs.2,50,000/- from them for disbursal of the said amount to the other police officials. Thereby, the respondent police 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 and he has been falsely implicated in this case. Hence he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submitted that this Court has already dismissed the anticipatory bail petition in Crl.O.P.No.20797 of 2021 dated 02.11.2021 and this is the second bail petition filed by the petitioner. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. As per the earlier direction of this Court, the matter was transferred to DVAC and the same is pending before the Directorate of Vigilance and Anti-Corruption (DVAC) and considering that this Court has already dismissed the anticipatory bail petition and there is no change of circumstances, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the petition seeking anticipatory bail is dismissed.

-sd/-
09/12/2021

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,
KRISHNAKIRI DISTRICT.

2 THE DIRECTORATE OF VIGILANCE AND ANTI CORRUPTION,
BYANAPALLI VILLAGE,
BANGALORE MAIN ROAD,
RAMAPURAM POST,
KRISHNAGIRI DISTRICT,
KRISHNAGIRI-635 115.



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.23843/2021

Date :09/12/2021

cs 22/12/2021