



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 09/09/2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.13213 of 2021

Murugaperumal

... Petitioner/Sole Accused

Vs

The State rep.by
The Sub-Inspector of Police,
Vadasery Police Station,
Kanyakumari District.
(Crime No.448 of 2021).

... Respondent/Complainant

For Petitioner : Mr.S.R.ANBARASU,
Advocate.

For Respondent : Mr.T.SENTHILKUMAR,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Crime No.448 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 6(a) and 24(1) of the Cigarette and other Tobacco Products Act, 2003 and Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015 in Crime No.448 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 12.07.2021 at about 10.30 am some unknown persons sold tobacco to the college students at Hendry Road, Nagercoil. On receiving the secret information, the respondent police rushed to the spot and seized 40 Kgs of banned tobacco products. Hence, the complaint.

3.The learned counsel for the petitioner submits 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.



4.The learned Additional Public Prosecutor submits that the petitioner and others have sold banned tobacco products to the college students and one of the accused had been caught red-handed.

5.Considering the offence committed by the petitioner, when this Court was about to dismiss the petitioner's earlier petition, on the request of the learned counsel for the petitioner, the same was dismissed as withdrawn. Since, there is no change in circumstance, this Court is not inclined to grant anticipatory bail and this Criminal Original Petition is dismissed.

sd/-
09/09/2021

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO

- 1.THE SUB-INSPECTOR OF POLICE,
VADASERY POLICE STATION,
KANYAKUMARI DISTRICT.
- 2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

**ORDER
IN**

CRL OP(MD) No.13213 of 2021
Date :09/09/2021

SA/VR/SAR.3/16.09.2021/2P/C