



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

Date : 17/09/2021

PRESENT

The Hon'ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.13737 of 2021

THIRUMURUGAN

... PETITIONER/ACCUSED NO.2

VS

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
KENIKKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO. 701 OF 2021).

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.K.Navaneetharaja, Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 701 of 2021 on the file of the Respondent police

ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent Police, for the offence punishable under Sections 294(b), 353, 284, 506(ii) IPC and Section 24(1) of Tobacco Act, 2003, in Crime No.701 of 2021, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on 13.09.2021, the defacto complainant, who is the Sub Inspector of Police, attached to the respondent Police, was in vehicle check up and at that time, an auto bearing Reg.No.TN65K 6725 arrived to the spot. When the defacto complainant tried to check the auto, the petitioner along with A1, who is the prime accused, threatened him with iron rod and abused him in filthy language. Thereafter, the defacto complainant arrested the first accused and when he searched the bags, it is found that the accused illegally transported tobacco products. Hence, the present complaint.



3. The learned counsel for the petitioner submits that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) submits that apart from this case, the petitioner is also involved in three previous cases. The details of which read as under:

(i) Kenikarai Police station - Cr.No.517/2020, u/s. 24(1) of Tobacco Act, 2003;

(ii) Kenikarai Police Station - Cr.No.287/2020, u/s. 188, 269 and 278 IPC;

(iii) Kenikarai Police Station - Cr.No.128/2019, u/s. 147, 323, 379 and 506(i) IPC @ 147, 323 and 506(i) IPC.

5. Considering the nature of offence and the antecedent of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6. In the result, the Criminal Original Petition is dismissed.

sd/-
17/09/2021

/ 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 INSPECTOR OF POLICE,
KENIKKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.13737 of 2021
Date :17/09/2021

USK/JM/SAR-III/(28.09.2021) 2P-3C

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