



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/10/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.15222 of 2021

Murugaperumal,

... Petitioner/Sole Accused

Vs

State represented by
The Sub Inspector of Police,
Vadasery Police Station,
Kanyakumari District.
Cr.No.448 of 2021.

... Respondent/Complainant

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

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

PETITION FOR ANTICIPATORY BAIL Under Section 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, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 6(a) and 24(1) of 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, seeks anticipatory bail.

2. The case of the prosecution is that on 12.07.2021 at about 10.30 a.m 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.

<https://hcservices.courts.gov.in/hcservices>
The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case.



4. Heard the learned Government Advocate (Criminal Side) appearing for the respondent Police.

5. It appears that this is the third anticipatory bail petition. The earlier anticipatory bail Petitions filed in Crl.OP (MD) Nos.10593 and 13213 of 2021 were dismissed as against the petitioners on 16.08.2021 and 09.09.2021. Now, this application is filed by the petitioner without referring the change of circumstances to consider the case.

6. Since there is no change of circumstance and considering the gravity of offence committed by the petitioner, this Court is not inclined to entertain this Criminal Original Petition and the same is accordingly dismissed.

sd/-
28/10/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA

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.15222 of 2021
Date :28/10/2021

SB/JM/SAR-IV/10.11.2021/2P/3C