



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.16557 of 2021

K.Muthukumar

... Petitioner/1st Accused

Vs

State rep. by
The Sub Inspector of Police,
East Police Station,
Sivakasi,
Viruthunagar District
(Crime No.243 of 2021)

... Respondent/Complainant

For Petitioner : Mr.Lakshmi Gopinathan,
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.243 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), 6(b) r/w 24(1) of Cigarette and Other Tobacco Products Act, 2003 and r/w 328 of IPC, in Crime No.243 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused were selling Cigar leaves, tobacco and other gudka products in his petty shop. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is ready to file an undertaking affidavit that he will not indulge in any offence in future.



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

5. It appears that this is the second anticipatory bail petition. The earlier anticipatory bail Petition filed in Crl.OP (MD)No.13444 of 2021 was dismissed as against the petitioner on 14.09.2021, on the ground that the petitioner is having 14 previous cases to his credit. 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 antecedents of 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.

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 INPSECTOR OF POLICE
EAST POLICE STATION, SIVAKASI, VIRUTHUNAGAR DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.POLAX LEGAL SOLUTIONS, Advocate. SR.No.33305.

ORDER

IN

CRL OP(MD) No.16557 of 2021

Date :28/10/2021

TTA

MK/JM/SAR.I/09.11.2021/2P/4C