



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 13/12/2021  
PRESENT

WEB COPY

**The Hon`ble Mr.Justice G.ILANGO VAN**  
**CRL OP(MD) . No.19168 of 2021**

R.Ponraj ... Petitioner/Accused No.5

**Vs**

The state represented by  
The Inspector of Police,  
Thiruchendur Police Station,  
Thoothukudi District.  
(Crime No. 429 of 2021).

... Respondent/Complainant

For Petitioner : Mr.M.Vinoth,  
Advocate.

For Respondent : Mr.SS.Madhavan,  
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 429 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 328 IPC r/w 6(a), 6(b), 24(1) of Cigarette and Other Tobacco Products Act, 2003 and 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.429 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons approached the *defacto* complainant to sell the banned tobacco products to the school and college students and the accused persons were found in possession of products worth about Rs.50,000/-. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is having two previous cases at his credit, that the co-accused was arrested and still in custody and on investigation products worth about Rupees twenty lakhs were seized from the accused persons.



5.Considering the nature of charges levelled against the petitioner that enormity of the banned product has been seized and the accused persons tried to sell the banned tobacco products to the school and college going students, that the petitioner also involved in two previous cases in Cr.Nos. 482 of 2021 and 281 of 2021 and that the petitioner is the prime accused in this case, this Court is not inclined to enlarge the petitioner on anticipatory bail.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

13/12/2021

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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  
THIRUCHENDUR POLICE STATION,  
THOOTHUKUDI DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

**ORDER**

**IN**

CRL OP(MD) No.19168 of 2021

Date :13/12/2021

PNM

SA/PN/SAR.4/17.12.2021 : 2P/3C