



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Fifth day of January Two Thousand Twenty Two

PRESENT

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.38 of 2022

A.ABBAS @ PATHI ABBAS

[PETITIONER/ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
B-4, UKKADAM POLICE STATION,
COIMBATORE.
CRIME NO.406/2021

[RESPONDENT]

For Petitioner : M/S.G.NIRMAL KRISHNAN, Advocate

For Respondent : MR.N.S.SUGANTHAN, Government Advocate, (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Section 328 of IPC r/w Section 7(1), 20(1) of Cigarette and other Tobacco Products Act, 2003 in Cr.No.406 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused persons were involved in illegal possession of 44 Kgs of banned tobacco products worth about Rs.89,400/- and the same was seized by the respondent police from one Raffik/A2. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.



4.The learned Government Advocate (Crl.Side) submitted that the petitioner along with other accused persons were involved in illegal Possession of 44 Kgs of banned tobacco products. He further submitted that there is one previous case similar nature pending against the petitioner. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the submissions made by the learned Government Advocate, custody of the petitioner is essential and also that there is one previous case similar nature pending against him. In such circumstances, custody interrogation of the petitioner is essential to unearth the truth. Therefore, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the petition seeking anticipatory bail is dismissed.

-sd/-

05/01/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
B-4, UKKADAM POLICE STATION,
COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.G.NIRMAL KRISHNAN Advocate on payment of necessary charges SR.NO.325

CRL OP.38/2022

Date :05/01/2022

RW 11/01/2022