



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twentieth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.1102 of 2022

V.SARAVANAKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE SUB INSPECTOR OF POLICE,
SAIBABA COLONY POLICE STATION,
COIMBATORE CITY.
(CR.NO.750/2021)

[RESPONDENT]

For Petitioner : M/S.M. MARUDHACHALAM Advocate

For Respondent : MR.A.GOKULAKRISHNAN Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under sections 273, 328 of IPC read with Section 7(1) of COTPA Act, in Crime No.750 of 2021 seeks anticipatory bail.

2. This is the third anticipatory bail application was filed before this Court. The case of the prosecution is that on 02.12.2021, the respondent police was on regular patrol duty, found four persons transferred the white bags from Mahindra Mini Truck bearing registration No.TN 38 CL 3304 to a Aactiva Two wheeler, and on seeing the respondent, they were tried to run away from that place, among the four, the respondent police caught the three persons and one person escaped from that place, further the respondent police searched the white bag and they found 185 kgs of banned tobacco products , which is worth about of Rs.2,00,000/-. Hence, the law enforcing agency registered a case against the petitioner.

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. He



further submitted that the petitioner is running a business of selling 'Deepa Oil' and he does not indulge in such illegal activities. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that earlier two applications were dismissed by this Court in Crl.O.P.Nos.24046 and 25277 of 2021 and there is no change of circumstances. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the petitioner is involved in a very serious offence and the earlier applications were dismissed by this Court and huge quantity of tobacco products, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
20/01/2022

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,
SAIBABA COLONY POLICE STATION,
COIMBATORE CITY.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M. MARUDHACHALAM Advocate on payment of necessary charges

CRL OP.1102/2022

Date :20/01/2022

CSK 07/02/2022