



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.907 of 2022

ARUL @ ARUNKUMAR

[PETITIONER / ACCUSED]

Vs

THE STATE REP. BY ITS
THE INSPECTOR OF POLICE,
TIRUCHENGODE RURAL POLICE STATION,
NAMAKKAL DISTRICT.
(CRIME NO.549/2021)

[RESPONDENT]

For Petitioner : M/S.M.SENTHILKUMAR 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 for the alleged offence under Sections 120(b), 273, 328 of IPC and 24(1) of Cigarette and Other Tobacco Products Acts 2003 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that while the respondent police was in regular vehicle check up, the petitioner along with other accused persons were travelling in a van and when checking up the vehicle, it was found that the petitioner along with other accused persons were involved in illegal transportation of Gudka and other banned Tobacco products and the same was seized by the respondent police.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and based on the confession statement of the co-accused,



he has been falsely implicated in this case. Hence he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor submitted that the petitioner along with other accused persons were involved in illegal transportation of Gudka and other banned Tobacco. He further submitted that accused/A2 and A5 has been arrested and A1 is still absconding. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and that accused/A1 is absconding when the case is under investigation and the case needs detailed investigation and if the petitioner is released on bail, he would stall the proceedings. In such circumstances, this court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this 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,
TIRUCHENGODE RURAL POLICE STATION,
NAMAKKAL DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.M.SENTHILKUMAR Advocate on payment of necessary charges

CRL OP.907/2022

Date :20/01/2022

RW 27/01/2022