



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty First day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.1099 of 2022

RAMACHANDRAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY

THE INSPECTOR OF POLICE,
RS PURAM POLICE STATION,
COIMBATORE.

CRIME NO.644/2021

[RESPONDENT]

For Petitioner : M.N.BALAKRISHNAN Advocate

For Respondent : MR. A.GOKULAKRISHNAN, Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who was arrested and remanded to judicial custody on 01.12.2021 for the offences under Sections 328 of IPC r/w 7 of COTPA act (Restriction on Trade and Commerce in Production to supply and Distribution of Cigarettes and other Tobacco Products) in crime No.644 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused were found in illegal possession of 839 kgs. of tobacco products and that 13.5 kgs. were recovered from the petitioner. Hence, the complaint.

3. The learned counsel for the petitioner would submit that petitioner is a petty shop owner and he has been falsely implicated in this case and this is the second application for bail and the earlier application was dismissed by this Court in CrI.O.P.No.25605 of 2021 dated 23.12.2021 and that the petitioner has been suffering incarceration for more than 50 days from 01.12.2021. He would pray for grant of bail to the petitioner.



4. The learned Additional Public Prosecutor raised strong objection stating that accused were found in illegal possession of 839 kgs. of tobacco products and that 13.5 kgs. of tobacco was seized from the petitioner. He would further submit that other accused viz., A2 and A3 are yet to be secured and that the investigation has not been completed.

5. On seeing the huge quantity of alleged tobacco products and that the case needs a detailed investigation, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

21/01/2022

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
RS PURAM POLICE STATION,
COIMBATORE DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

CC to M.N.BALAKRISHNAN Advocate on payment of necessary charges

CRL OP.1099/2022

Date :21/01/2022

RW 07/02/2022