



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION Nos.9800, 9812, 9825 and 9830 of 2022

KARTHICK	[PETITIONER / ACCUSED IN CRL.O.P.No.9800/2022]
CHIDHAMBARANATHAN	[PETITIONER / ACCUSED IN CRL.O.P.No.9812/2022]
MUTHUSELVAN	[PETITIONER / ACCUSED IN CRL.O.P.No.9825/2022]
BASKAR	[PETITIONER / ACCUSED IN CRL.O.P.No.9830/2022]

Vs

STATE REP BY THE SUB INSPECTOR OF POLICE, PADALUR POLICE STATION, PERAMBALUR DISTRICT. (CRIME NO.65 OF 2022)	[RESPONDENT IN CRL.O.P.No.9800/2022]
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STATE REP BY THE INSPECTOR OF POLICE, PADALUR POLICE STATION, PERAMBALUR DISTRICT. (CRIME NO.65 OF 2022)	[RESPONDENT IN CRL.OP.NOs.9812,9825&9830/2022]
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For Petitioner : M/S.N.PONRAJ Advocate
[IN CRL.O.P.No.9800/2022]

For Petitioner : M/S.M.VELMURUGAN Advocate
[IN CRL.OP.NOs.9812,9825&9830/2022]

For Respondent : Mrs.G.V.KASTHURI, Additional Public Prosecutor
[IN ALL THE PETITIONS]



PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners herein, who were arrested for the alleged offence under Sections 20(2) of Cigarette and other Tobacco Products Act 2003 read with Section 328 IPC in Crime No.65 of 2022, seek bail.

2. On 04.04.2022, the respondent police while conducting raid, has recovered huge quantity of banned tobacco products from four persons and the respective seizure is as below:

Seizure from A1:

- i) 100 packets of Vimal Pan Masala each containing 25 gram
- ii) 100 packets of V-1 Tobacco each containing 25 gram total 12.5 Kilogram
- iii) TN50 AZ 2418 Honda CD 110

Seizure from A2:

- i) 300 packets of Hans Charap Tobacco each containing 300 gram
- ii) 250 packets of Vimal Pan Masala each containing 125 gram total 31.250 Kgm
- iii) 250 packets of V-1 Tobacco each containing 25 gram, total 3.750 Kgm
- iv) 32 packets of Cool Lip (Filter Tobacco) each containing 174 gram, total 5.600 Kgm.
- v) TN 46 M2710 Hero Honda Splendor Pro.

Seizure From A3:

- i) 32 bags of Hans Charap Tobacco each containing 300 gram, total 9.600 Kgm
- ii) bags of Vimal Pan Masala each containing 125 gram total 4.12 Kgm
- iii) 50 packets of V-1 Tobacco each containing 25 gram, total 1.250 Kgm
- iv) TN46 K 7918 TVS Super XL Heavy Duty



Seizure from A4:

- i) 14 packets of 701 Tobacco containing 300gram total 4.200 Kgm
- ii) 48 packets of Chaap Tobacco containing 300gram, total 14.400 Kgm
- iii) 8 packets of Chaini Tobacco containing 150 gram, total 1.200 Kgm
- iv) 57 packets of Vimal Pan Masala containing 125 gram total 7.125 Kgm
- v) 60 packets of V-1 Tobacco containing 25 gram total 1.500 Kgm
- vi) 9 packets of Vimal Pan Masala containing 30 gram total 270 gram.

3.Learned counsel for the petitioners states that there is no specific overtact attributed by these petitioners, since even according to the F.I.R, the team which went to the search based on the secret information received, four persons carrying sack bag on the head and trying to load it in a two wheeler fled on seeing the police party and they were chased and apprehended. Therefore, it is impossible to fix the respective accused persons to the alleged contraband found in different bags.

4.However, the learned Additional Public Prosecutor appearing for the respondents would state that all the four persons formed the same gang and they were in possession of the prohibited goods pursuant to transit. Therefore, the seizure of the contraband on the identification of the respective petitioners has been narrated in the F.I.R. Considering the huge quantity of the banned tobacco product, the source of the prohibited goods supplier is under investigation and for the said reason, all the bail petitions are opposed.

5.Considering the merit in the above submission, all the criminal original petitions for bail are dismissed.

-sd/-
28/04/2022

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 SUB-INSPECTOR OF POLICE,
PADALUR POLICE STATION,
PERAMBALUR DISTRICT.

2 THE INSPECTOR OF POLICE,
PADALUR POLICE STATION,
PERAMBALUR DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE OFFICER INCHARGE,
SUB JAIL, PERAMBALUR.

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

CRL OP.Nos.9800, 9812, 9825 and 9830 /2022

Date :28/04/2022

RW 06/05/2022