



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eleventh day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice A.A. NAKKIRAN

CRIMINAL ORIGINAL PETITION No.10881 of 2022

R.BAKKIYARAJ

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
POLUR POLICE STATION,
THIRUVANNAMALAI DISTRICT.
(CR.NO.133 OF 2022)

[RESPONDENT]

For Petitioner : M/S.S.B.VISWANATHAN Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (CrI. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

(1)The petitioner/A2, who was arrested and remanded to judicial custody on 12.04.2022 for the alleged offences punishable under Sections 273, 328 and 511 of IPC r/w Sections 6(b) and 24(1) of the Cigarette and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 in Crime No.133 of 2022 on the file of the respondent police, seeks bail.

(2)The case of the prosecution is that the petitioner who is the owner of a petty shop was found in possession of banned 975 small Hans Packets, 300 small Cool Lip Packets and 480 small Pan Masala Packets at his shop for distributing the same to the public, school and college students, resulting in the registration of the case.

(3)The learned counsel for the petitioner would submit that the petitioner is an innocent person and he is no way connected with the crime. The learned counsel would further submit that the petitioner



has been falsely implicated in the case based on the confession of the co-accused/A1. He would also submit that the petitioner is in the judicial custody for more than 25 days and hence, prays for enlargement of the petitioner on bail.

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(4) The learned Government Advocate (CrI.Side) appearing for the respondent would submit that the petitioner and the other accused was found in possession of banned tobacco products for selling the same to the school and college students. He would submit that the entire contraband is seized and the investigation is pending. Learned Government Advocate [Cr.Side] submitted that the petitioner is involved in 1 previous case of similar nature in Crime No.172/2022 registered by Kalasapakkam Police Station.

(5) Considering the facts and circumstances of the case and considering the fact that the petitioner has got 1 previous case of similar nature and that the contraband seized in the present case is of huge quantity and further that the investigation is pending, this Court is not inclined to grant the relief of bail to the petitioner.

(6) Hence, this Criminal Original Petition is dismissed.

-sd/-

11/05/2022

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,
POLUR POLICE STATION,
THIRUVANNAMALAI DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.S.B.VISWANATHAN
charges

Advocate on payment of necessary

CRL OP.10881/2022

Date :11/05/2022

CSK 16/05/2022