



Crl.O.P.No.22607 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 7 r/w 20(1) of Cigarette and Other Tobacco Products Act, 2003 and Sections 52 and 59 of Food Safety and Standards Act, 2006 and Section 328 of IPC in Crime No.128 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. Totally, there are 21 accused involved in this case, in which, the petitioners are arrayed as A1. The case of the prosecution is that the petitioner along with other accused was found in illegal possession of 4063 kgs and 958 grams of tobacco products which is banned by Tamil Nadu Government. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that the petitioner is owner of the alleged vehicle which was seized by the respondent police. He would further submit that he has rented his vehicle for the transport company



Crl.O.P.No.22607 of 2022

and the other accused in this case have misused the above said vehicle for the transporting banned tobacco products without knowledge of this petitioner. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that this is the second anticipatory bail petition. Earlier, this Court dismissed the bail petition filed by the petitioner in Crl.O.P.No.18593 of 2022 on 17.08.2022. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the nature of offence committed by the petitioner and taking note of the fact that this Court had dismissed the earlier petition filed by the petitioner and there is no change of circumstances. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

20.09.2022

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