



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Fifth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION Nos.24950 & 24954 of 2021

DEEPAKNUNIYA

[PETITIONER / ACCUSED
IN CRL.O.P.No.24950/2021]

APSALBASHA

[PETITIONER / ACCUSED
IN CRL.O.P.No.24954/2021]

Vs

THE STAE REP BY [RESPONDENT IN BOTH THE PETITIONS]
THE INSPECTOR OF POLICE,
PALLIKONDA POLICE STATION,
VELLORE DISTRICT.
(CRIME NO. 369 OF 2021)

For Petitioner : M/S.M.SATHISH KUMAR Advocate
[IN BOTH THE PETITIONS]

For Respondent : MR.N.S.SUGANTHAN, Government Advocate, (Crl.Side)
[IN BOTH THE PETITIONS]

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who were arrested and remanded to judicial custody on 05.12.2021 for the offences under Sections 7 (5) & 20(2) of Cigarette and Other Tobacco Products Acts, 2003 read with 328 of IPC, in Crime No.369 of 2021, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 05.12.2021 at about 4.30 p.m., when the respondent police officials were on regular patrol duty, the petitioners along with other accused were found illegally transporting banned tobacco products weighting 277 kgs., worth about Rs.1,98,000/- from Karnataka. Hence, the complaint.



3.The learned counsel for the petitioners would submit that the petitioners are no way connected with the alleged offence and they have been falsely implicated in this case. He would further submit that the petitioners have been suffering incarceration for more than 30 days from 05.12.2021 and hence, he would pray for grant of bail to the petitioners.

4.The learned Government Advocate (Crl. Side) would raise strong objection stating that there is a proposal for Goondas against the petitioners and that the investigation has not been completed.

5.On seeing the gravity of offence and the quantity of the alleged tobacco products and that there is a proposal for Goondas against the petitioners and the investigation has not been completed, this Court is not inclined to grant bail to the petitioners. Accordingly, these Criminal Original Petitions are dismissed.

-sd/-

05/01/2022

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 SUPERINTENDENT,
CENTRAL PRISON, VELLORE, VELLORE DISTRICT.

2 THE INSPECTOR OF POLICE,
PALLIKONDA POLICE STATION,
VELLORE DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.NOs.24950 & 25954/2021

Date :05/01/2022

RW 12/01/2022