



Crl.O.P.No.27266 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 17.09.2022, for the offences punishable under Sections 273, 328 IPC and 7(1), 24(1) of Cigarette and other Tobacco Products Act, 2003, in Crime No.479 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that when the respondent and his team were on their routine patrol duty, the petitioner was found in illegal possession of 89 kilograms of banned tobacco products for sale and the respondent has seized the same and arrested the accused. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely



Crl.O.P.No.27266 of 2022

implicated in this case, since he has got some previous cases. He would also submit that the petitioner is in custody from 17.09.2022 and he is ready to abide by any stringent conditions that may be imposed on him and hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner was found in illegal possession of 89 kilograms of banned tobacco products for sale. He would further submit the petitioner is a habitual offender and there are several previous cases of similar nature are pending as against the petitioner, out of which, he has been convicted in 5 cases. Therefore, he vehemently oppose for grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.



Crl.O.P.No.27266 of 2022

6. Taking into consideration the facts and circumstances of the case and the submission made by the learned Government Advocate (Crl.Side) and also considering the fact that the petitioner has been convicted in 5 previous cases , this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

09.11.2022

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Crl.O.P.No.27266 of 2022

A.D.JAGADISH CHANDIRA, J.

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Crl.O.P.No.27266 of 2022

09.11.2022

Page 4 of 4