



CrI.O.P.No. 31599 of 2022

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T.V.THAMILSELVI, J.

The petitioners, who were arrested and remanded to judicial custody on 06.11.2022 for the alleged offence under Sections 7(5) and 20(2) of COTP Act, 2003 and 328 of I.P.C. in Crime No.283 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on a secret information about peddling the contraband, the respondent police formed a team and inspected the places at Akaramseri to Pallikuppam road, near Veerasamy land, they found a container lorry parked there and on seeing the police, the petitioners along with other accused tried to ran way from the place and at the spot, nabbed two persons and on search, the police found 150 gunny bags and 18 white colour plastic bag containing 15,000 hans pockets. Hence, the complaint.



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3. The learned counsel for the petitioners submitted that they are no way connected with the occurrence and they have not at all committed any offence as alleged by the respondent police. He would submit that they have been falsely implicated in this case and they will abide by any condition that may be imposed by this court. He would submit that the investigation is almost completed and that the petitioner has been suffering incarceration from 06.11.2022. Hence, he prayed to grant bail to the petitioners.

4. The learned Government Advocate (CrI. Side) appearing for respondent would submit that totally, there are 5 accused involved in this case and the petitioners are arrayed as A1 and A2. He would submit that they have transported huge quantity i.e. 4000 kgs and 700 grams of tobacco products, which was prohibited by the Government. He would submit that investigation is at a preliminary stage and if they are released on bail, they would tamper the witnesses and hamper the investigation and a detailed investigation is required. Therefore, he vehemently opposed to grant bail to the petitioners.



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5. Considering the facts and circumstances of the case and also considering gravity of offence committed by the petitioners and also the fact that they were in possession of 4000 kgs. and 700 grams of tobacco products, which was prohibited by the Government, a detailed investigation is required in this case, and there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

22.12.2022

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