



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 25/05/2022
PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CRL OP(MD) . No.9635 of 2022

K.Uthayapandi

... Petitioner/Accused No.2

Vs

The State represented by
The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
Crime.No. 190 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Solaisamy.M,
Advocate.

For Respondent : MR.SS.Madhavan,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.190 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 328 of IPC r/w Sections 7(1) and 20(1) of Cigarette and Other Tobacco Products Act, 2003 in Crime No.190 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that when the respondent police was engaged in preventing of offence relating to the selling of Tobacco products, they found one Ranjithkumar with 13 pockets of Hans and 8 pockets of Cooling Lip with tobacco substances. On seeing the police, the petitioner had escaped from that place and the police only nabbed the said Ranjithkumar. Based on his confession statement, the petitioner was implicated in this case. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is no way connected with this case and recovery was made only A1. He would also submit that A1 was already arrested and enlarged on bail.



4.The learned Government Advocate (Crl.Side) would submit that the petitioner and other accused were found in possession of banned tobacco products for selling purpose. He would further submit that the petitioner is having one previous case for similar nature.

5.In view of the above, this Criminal Original Petition is dismissed. However,the petitioner/accused is directed to surrender before the concerned Magistrate within a period of two weeks from the date of receipt of a copy of this order and file a bail application before the Magistrate and if he files an application for bail, the learned Magistrate is directed to consider his bail application, on the same day and pass orders on merits and in accordance with law.

sd/-
25/05/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI/LM

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE No.I,
USILAMPATTI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.9635 of 2022
Date :25/05/2022

SS/VR/SAR:IV/26.05.2022 : 2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>