



WEB COPY

CRL OP(MD).



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 19/07/2022

PRESENT

**The Hon`ble Mr.Justice G.ILANGO VAN**

CRL OP(MD) . No.9841 of 2022

Swamynathan

... Petitioner/Accused No.4

Vs

The State rep.by,  
The Inspector of Police,  
TVMCH Police Station,  
Tirunelveli District.  
Cr.No.43/2022.

... Respondent/Complainant

For Petitioner : M/s.Veerapandi.P,  
Advocate.

For Respondent : Mr.P.Kottai Chamy,  
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Crime No. 43/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 6(a), 6(b) of Cigarette and other Tobacco Products Act, 2003 and Section 77 of Juvenile Justice (Care and Production of Children) Act, in Crime No.43 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused persons said to have tried to sell the banned tobacco products to the school going children worth about Rs.70,000/-. Hence, the present case has been registered against the accused persons.

<https://www.mca21.gov.in/judis>



3.The learned counsel for the petitioner submitted the petitioner is innocent and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner is having 5 previous cases. Out of the 5 cases, 4 case are similar in nature.

5.On earlier occasion, the learned Government Advocate (Crl.Side) was required to be produced a copy of the previous case particulars. It shows that all the cases were disposed of.

6.But, however, the learned Government Advocate (Crl.Side) submitted that the petitioner has highly engaged in such illegal activities after getting bail in one case. He has not corrected himself and continuously engaged in such activities.

7.In view of the submission made by the learned Government Advocate (crl.Side), this Criminal Original Petition is dismissed.

sd/-  
19/07/2022

/ TRUE COPY /

/08/2022

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

DSS

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 Inspector of Police,  
TVMCH Police Station,  
Tirunelveli District.
2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

ORDER  
IN  
CRL OP(MD) No.9841 of 2022  
Date :19/07/2022

RK/JM/SAR-III/01.08.2022/2P/3C

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