



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 30/08/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Cr1.OP (MD) No.14104 of 2022

Josephraj

... Petitioner/Accused No.6

Vs.

The State rep.by
The Inspector of Police,
Soolaikkarai Police Station,
Virudhunagar District.
(Crime No.130 of 2022)

... Respondent/Complainant

For Petitioner : Mr.M.Karunanithi, Advocate

For Respondent : Mr.P.Kottai Chamy
Government Advocate (Criminal side)

PETITION FOR ANTICIPATORY BIAL under Sec.438 of Cr.P.C.

PRAYER:-

For Anticipatory Bail in Crime No.130 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as A6 apprehending arrest at the hands of the respondent police for the offences punishable under sections 6(b) and 24(1) of Cigarette and Other Tobacco Products Act, 2003 and 328 IPC, in Crime No.130 of 2022 on the file of the respondent police and seeks anticipatory bail.

2.The case of the prosecution is that on 07/07/2022, the respondent police conducted search in Ramasampuram. On suspicion search a godown, which belongs to Jesuraj, where the prohibited tobacco was found stored for the purpose of sale. Hence, the case.

3. Seeking anticipatory bail, this petitioner, who is arrayed as A6 has filed this petition.



4. Heard both sides.

5. The learned Government Advocate (Criminal side) would submit that the petitioner is having 16 previous cases, out of which, seven cases have been disposed of and 8 similar cases are pending. He has also circulated the list of the cases.

6. Now the learned counsel appearing for the petitioner would submit that in so far as this case is concerned, it is only a foisted case and he was not present in the place of occurrence. He is only a friend of A4.

7. During the course of arrest, subsequent recovery has been made from the godown, which belongs to one Yesuraj. The above said Yesuraj has informed that on behalf of one Josephraj, who is the petitioner herein, the above said godown was taken on rent by the owner namely Ragavan and Josephraj is the owner of the above said contraband.

8. So when such a serious allegation has been made against the petitioner and considering the fact that the petitioner is also involved in similar cases on previous occasions, he is not entitled to the relief of anticipatory bail. He must be subjected to custodial interrogation to bring out the truth.

9. In the result, this criminal original petition is **dismissed**.

Sd/-
30/08/2022

/ TRUE COPY /

07/09/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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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.



1. THE INSPECTOR OF POLICE,
SOOLAKKARAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.14104 of 2022
Date :30/08/2022

SP/SVR/SAR II/07/09/2022/3P/3C