



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 12/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14505 of 2022

WEB COPY

P.Pon Prabhakar

... Petitioner/Accused No.2

Vs.

State Rep.by
The Inspector of Police,
Kadayam Police Station,
Tenkasi District.
Crime No.180 of 2022.

... Respondent/Complainant

For Petitioner : M/s.A.Mohamed Hashim, 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.180 of 2022 on the file of the Respondent Police.

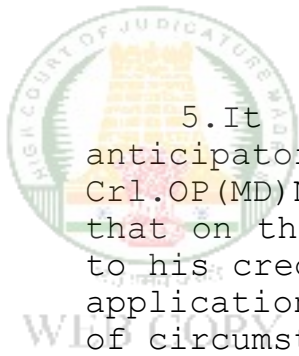
ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections u/s 24(1), 6(b) of Cigarette and other Tobacco Products Act, 2003 and Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.180 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of banned Tobacco products. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that based on the confession statement of the co-accused, the petitioner's name was impleaded as second accused in this case.

4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that two previous case are pending against this petitioner and some of the cases are disposed of.



5.It appears that this is the second application for anticipatory bail. The earlier anticipatory bail Petition filed in Crl.OP(MD)No.11981 of 2022 was dismissed on 19.07.2022 on the ground that on the ground that the petitioner is having two previous cases to his credit and the petitioner is the habitual offender. Now, this application is filed by the petitioners without referring the change of circumstances to consider the case.

6.Since there is no change of circumstance and considering the gravity of offence committed by the petitioner, this Court is not inclined to entertain this Criminal Original Petition and the same is accordingly dismissed.

sd/-

12/08/2022

/ TRUE COPY /

/09/2022

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

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, KADAYAM POLICE STATION, TENKASI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.14505 of 2022

Date :12/08/2022

TTA

RS/VR/SAR.2 (06.09.2022) 2P-3C