



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.14568 of 2022

Sivakumar

... Petitioner/Accused No.4

Vs

State Rep.by
The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District.
(Crime No.367/2022).

... Respondent/Complainant

For Petitioner : M/s.S.Deenadhayalan, Advocate.
For Respondent : Mr.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.367 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under Sections 273, 328 I.P.C r/w. Section 7(1) and 24(1) of Cigarette and other Tobacco Products Act, 2003, in Crime No. 367 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The allegation against the petitioner is that on 28.07.2022, at about 4.00 pm., A1 to A3 were found in possession of 72 Kgs of Tobacco Products purchased from the petitioner -A4. A case in Crime No.367 of 2022, was registered against the petitioner and others.

3.On the side of the petitioner, it is stated that the petitioner is only A4 in the case. The products were seized from A1 to A3 and not from the petitioner-A4. Only on the confession of the co-accused, the petitioner was falsely implicated in the case. Only on suspicion, the petitioner -A4 was implicated in the case and prayed the petitioner to be released on anticipatory bail.



4. On the side of the prosecution, it is stated that A1 to A3 were found in possession of Tobacco products and on confession of co-accused, it came to light that A1 to A3 purchased the products from the petitioner -A4. The petitioner is having one previous case of similar in nature and prayed the petition to be dismissed.

5. Considering the nature of offence and considering the fact the petitioner is having a previous case, this Court is not inclined to released the petitioner on anticipatory bail.

6. Hence, this Petition is dismissed.

sd/-

06/09/2022

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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,
Sethubavachathiram Police Station,
Thanjavur District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

CRL OP(MD) No.14568 of 2022

Date : 06/09/2022

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RS/VR/SAR.2 (12.09.2022) 2P-3C