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CRL OP(MD). N



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

Date : 29/09/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.17449 of 2022

Kalimuthu ... Petitioner/2nd Accused
Vs
The State rep.by,
The Inspector of Police,
Sattur Taluk Police Station,
Virudhunagar District.
Crime No.155 of 2022.. ... Respondent/Complainant

For Petitioner : M/s.Muniyandi S,
Advocate.

For Respondent : Mr.M. Muthumanikkam,
Government Advocate (Crl.Side)

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

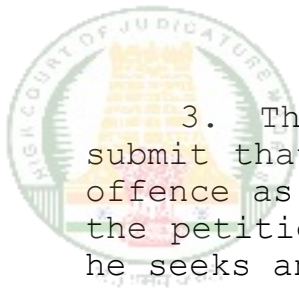
PRAYER :-

For Anticipatory Bail in Crime No.155 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 353, 307 IPC and 24(1) of the Cigarette and other Tobacco Products act, 2003 in Crime No.155 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that when the respondent police has conducted the routine check up, the petitioner and other accused have not stopped the Car and tried to assault the defacto complainant and they have also found in possession of 65 pockets of Ganesh Tobacco Products and 48 pockets of cool lip. Hence, the complaint.



3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner herein did not present at the time of occurrence and he seeks anticipatory bail.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that totally three accused involved in this case and A1 was already arrested and still in custody. He would further submit that based on the confession of A1, the petitioner herein is arrayed as A3 and the A2 is the main seller of Tobacco products. He further contended that the petitioners have tried to assault the respondent police and the investigation of the case is pending and strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the serious nature of offence committed by the petitioner that he has tried to assault the police officers, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-

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

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TO

1.The Inspector of Police,
Sattur Taluk Police Station,
Virudhunagar District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.17449 of 2022

Date :29/09/2022

RK/GB/SAR- (10/10/2022) 2P/3C