



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

Date : 05/01/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19520 of 2021

PANDI @ PANDIARAJ

... PETITIONER/1ST ACCUSED

VS

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
THOGAIMALAI POLICE STATION,
KARUR DISTRICT.
(CRIME NO.490/2021).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.T.Lenin Kumar,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate(Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.490/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/1st Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 273, 328 I.P.C r/w Section 24(1) of the Cigarette and Other Tobacco Products Act, 2003 in Crime No.490 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 24.10.2021, when the respondent was in the regular check up, they inspected a TATA Indigo Manza Car bearing registration No.TN 05 AH 5397 and found two bags of Tobacco product. When the accused were examined, it revealed that the accused selling prohibited Tobacco product by storing the same in the house of the petitioner. When the house of the petitioner was searched, the respondent police found 38 bags of prohibited Tobacco products, weighing 802 Kilograms, worth Rs.4,00,000/-.



3.The learned counsel for the petitioner would submit that originally he is alleged to have involved in selling of the prohibited Tobacco products and now he has shifted his residence to Trichy. The friends of the petitioner are using his house and he is no way connected with the storing of Tobacco products in his house.

4.The learned Additional Public Prosecutor would submit that co-accused were arrested and remanded to judicial custody and later released on bail by the learned Sessions Judge, Karur in Cr.M.P.No.1754 of 2021 on 15.11.2021.

5.Considering the limited role played by the petitioner and also the fact that no previous case has been filed against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.I, Kulithalai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
05/01/2022

/ TRUE COPY /

/ /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 JUDICIAL MAGISTRATE NO.I,
KULITHALAI.

<https://hcservices.ecourts.gov.in/hcservices/>



2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
3. THE INSPECTOR OF POLICE,
THOGAIMALAI POLICE STATION,
KARUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.19520 of 2021
Date :05/01/2022

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