



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 15/11/2022
PRESENT

WEB COPY

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

CRL OP(MD). No.20174 of 2022

Senthamil Selvan

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Aralvoimozhi Police Station,
Kanyakumari District.
Crime No.321 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Radhakrishnan G,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime No.321 of 2022 on the file of the Respondent Police.

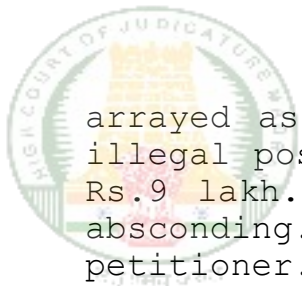
ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 29.10.2022 for the offences punishable under Sections 6(a) and 24(i) of COTPA Act, in crime No.321 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 29.10.2022, when the respondent police doing vehicle check up at respondent police jurisdiction, they tried to stop a vehicle bearing Reg.No.TN-19-Q-5182. But the accused persons tried to fled away. After chasing the vehicle, the respondent police found that the accused persons illegally transported 680 Kg of banned Tobacco product worth about Rs.9 lakh. Hence, present case has been registered against the petitioner.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 29.10.2022 and no previous case is pending against the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that totally 3 accused are involved in this case. The petitioner was



arrayed as A1. The petitioner and the other accused were in illegal possession of 680 Kg of banned Tobacco product worth about Rs.9 lakh. The investigation is still pending. A2 & A3 are still absconding. Hence, he strongly opposed to grant bail to the petitioner.

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5. Considering the gravity of the offence and also considering the fact the A2 & A3 are still absconding, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

15/11/2022

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/11/2022

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

TO

- 1 THE INSPECTOR OF POLICE,
ARALVOIMOZHI POLICE STATION,
KANYAKUMARI DISTRICT.
- 2 THE OFFICER INCHARGE,
SUB JAIL, NAGERCOIL,
KANYAKUMARI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.20174 of 2022
Date :15/11/2022

DSS

SA/SSS/SAR.1/23.11.2022/2P/4C