



Crl.O.P.No.8114 of 2023

Orders Reserved on
13.09.2023

Orders Pronounced on
15.09.2023

Crl.O.P.No.8114 of 2023

RMT. TEEKAA RAMAN.,J.

The petitioner apprehends arrest at the hands of the respondent police for the alleged offences under Section 24 (1) of Cigarette and Other Tobacco Products Act, 2003 and Section 328 IPC and 59 of Food Safety and Standards Act, 2006 registered in Cr.No.172 of 2021, seeks anticipatory bail.

2. The case of prosecution is that on 04.12.2021, when the Sub-Inspector of Police attached to the respondent police has received an information from the Sub-Inspector of Police, who was the night patrolling officer at Coonoor Level Cross and checking the vehicle, at around 11.30 p.m. Ashok Leyland Grill cage lorry bearing Regn.No.KA09 D 9987 coming from Ooty towards Coonoor was stopped and checked. There were three persons in the said lorry and when inquired, they were Raju s/o Jegadish, Suresh s/o Ramakrishnan and Gururaj s/o Umesh. The said truck was full of coconut shells. When they checked the said vehicle, they found 49 sack and



Crl.O.P.No.8114 of 2023

26 white urea bags stacked inside the said coconut shell. When it was suspiciously opened and sniffed, it was found that it contained tobacco products which are banned by the Tamil Nadu Government and are harmful to human life and they had seized the banned pan products from the above persons and this petitioner has been arrayed as co-accused based on the confession of the above accused persons.

3. The learned counsel for the petitioner submitted that he is in no way connected with the alleged crime.

4. The learned Government Advocate (crl.side) would contend that on a routine check on the road, the respondent police have unearthed 49 sack and 26 white urea bags of HANS and COOL Lip worth about Rs.8 lakhs and strongly opposed for grant of bail to the petitioner. He further submitted that A.1 to A.3 were arrested and subsequently granted bail.

5. Heard the learned counsel for the petitioner as well as Government Advocate (Crl.side) and perused the records.



Crl.O.P.No.8114 of 2023

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6. Considering the quantum and also the value of the contraband and that the petitioner is the owner of the vehicle, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

15.09.2023

rgr



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Crl.O.P.No.8114 of 2023

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Crl.O.P.No.8114 of 2023

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