



Crl.OP.No.17506 of 2023

WEB COPY **G.CHANDRASEKHARAN, J.**

This petition is filed to enlarge the petitioner on bail in Crime No.125 of 2023, on the file of the respondent Police.

2.It is the submission of learned counsel for the petitioner that petitioner is falsely implicated as accused in Crime No.125 of 2023 for the offence under Section 273, 328 I.P.C r/w 24 (1) of Cigarette and other Tobacco Products Act, 2003. He is in judicial custody from 09.07.2023. Thus, this petition is filed for seeking bail.

3.In response, the learned Additional Public Prosecutor submitted that petitioner along with other accused were found in illegal possession of tobacco products. Petitioner was involved in six similar cases. Out of six cases, three cases ended in conviction, one case ended in acquittal and one case is pending for trial. He also involved subsequently in another similar case in Case No.133 of 2023, Paramathy Police Station, registered for the offence under Section 328 of I.P.C r/w 24 (i) of COTPA Act.



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4.Considered the rival submissions and perused the records.

5.It is seen from the First Information Report allegations that on 09.07.2023 at about 10.00 a.m., the respondent Police found near Irukoor Bus stop, Paramathy, accused Nallasivam and Saravanan under suspicious circumstances. On apprehending them, they found to have been in illegal possession of following tobacco products:-

- i)Cool lip filter tobacco – 35 kg
- ii)Vimal Pan Masala – 35 Kg
- iii)RMD – 10 Kg
- iv)Hans Chaap – 40 kg
- v)V1 Tobacco – 97 Kg
- vi)M Scented Tobacco Gold – 4 Kg.

6.Considering the fact that aforesaid tobacco products seized from the petitioner and co-accused and that he had multiple previous cases registered earlier against him and one similar case is registered subsequent to this case and that investigation in this case is not completed, this Court is not inclined to grant bail to the petitioner.



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7. Accordingly, this Criminal Original Petition is dismissed.

09.08.2023

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