



Crl.O.P.No.27005 of 2023

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C.V.KARTHIKEYAN,J.

The petitioners/A3 and A4 seek anticipatory bail in Crime No.300 of 2023 registered by the respondent police for the offences punishable under Sections 273, 328 IPC and 24(1) of Cigarette and other Tobacco Products Act, 2003.

2. It is the case of the prosecution is that A2 was intercepted while riding a two wheeler and the respondents found that **50** packets of tobacco. Based on the confession of A2, the respondent police went over to the mini truck in the possession of A1 and from there 118.565 kgs of banned tobacco products had been seized. The petitioners herein had been implicated, based on the confession of A2 who claimed that A3 and A4 had financed for purchasing of tobacco from Bangalore and supplied it to the local public for personal gain. According to the confession of the arrested accused, the petitioners have purchased the banned tobacco products from Bangalore and supplied it for further distribution.

3. The learned counsel for the petitioners pointed out that A1 and A2 had been arrested and granted bail by the learned Principal Sessions Judge, Cuddalore by two separate orders dated 03.08.2023. He also pointed out that the role of these petitioners have been fixed by the respondent police only on



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the basis of confession and not on recovery and also not on possession of banned tobacco products, but, the investigation will have to be conducted as to the source of tobacco products.

4. Counter affidavit had been filed by the respondent police stating that the petitioners herein had transported banned tobacco products from Bangalore to Tamilnadu. It is also stated that investigation has revealed that the banned tobacco products worth about Rs.2,94,273/- were seized. It is also stated that the petitioner had absconded after taking into custody of A1 and A2.

5. In view of those facts and at this stage, I am not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

07.12.2023

Vv



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