



CRL OP(MD). No.12756 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12756 of 2023

Shenbagarajan

... Petitioner/3rd Accused

Vs

The State, through
The Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.
(Crime No.91 of 2023).

... Respondent/Complainant

For Petitioner : Mr.S.SUNDARAPANDIAN,
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.91 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/3rd accused, who apprehends arrest at the hands of the respondent Police for the offences punishable under section 328 I.P.C. And Section 6(b) and 24(1) of Cigarette and other Tobacco Products Act, in Crime No.91 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that when the respondent Police and his team



CRL OP(MD). No.12756 of 2023

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were on their routine vehicle check up, they checked a van and found banned tobacco and pan masala package, which was illegally transported by the accused persons. At that time, they gave confession statement that the above said banned tobacco products are transported for selling the same at the petitioner's shop. Hence the case.

3. The learned counsel for the petitioner would submit that only based upon the confession statement of the co-accused, this petitioner has been implicated in this case, simply because, he is having previous cases in similar nature.

4. Reading of the CD file shows that the above said Kannan, Thangaraj have purchased the above said tobacco products from Karnataka and transported the same for the purpose of supplying to this petitioner and continuesly the above said tobacco products supplied to this petitioner.

5. Considering the facts and circumstance of this case and considering the gravity of offence, this Court is not inclined to grant anticipatory bail to the petitioner. Hence the petition stands dismissed.

sd/-
27/07/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.12756 of 2023

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INDU
TO

1 THE INSPECTOR OF POLICE,
NATHAMPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.12756 of 2023
Date :27/07/2023

SA/VRS/SAR. /22.08.2023/3P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.