



CRL OP(MD). No.13766 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13766 of 2023

Abdulkadher Bathiyudeen

... Petitioner/ Accused No.2

Vs

The State rep.by,
The Sub Inspector of Police,
Cumbum North Police Station
Theni District.
In Crime No.239/2023..

... Respondent/Complainant

For Petitioner : M/s.Manoharan.R,
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.239/2023 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/ A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 269, 270, 273, 328, 353 of IPC and Section 6(b) and 24(1) of Cigarettes and Other Tobacco Products (Prohibition of Advertisements and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2023, in Crime No.239 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with the other accused persons have found in illegal possession of banned Tobacco Products. Hence, the complaint.

3. The learned Counsel for the Petitioner would submit that the Petitioner is an innocent and he has been falsely implicated in this case.

4. The learned Government Advocate(Crl.Side) appearing for the respondent police submitted that the petitioner is the driver of the first accused and in two cases, the petitioner was arrested along the first accused and he has admitted his guilt and



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also paid fine amount. He further submitted that the petitioner was continuously involved this type of offence along with the first accused.

5. A perusal of CD file shows that the petitioner along with first accused have continuously involved this type of illegal transportation.

6. Considering the submission made by the learned Government Advocate (Crl.Side) and also conduct and bad antecedents of the petitioner, this Court feels that the petitioner is not entitle for the discretionary relief of anticipatory bail. Accordingly, this Criminal Original Petition is dismissed.

sd/-
03/08/2023

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. The Sub Inspector of Police,
Cumbum North Police Station
Theni District.



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2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.MANOCHARAN, Advocate (SR-11832[I] dated 04/08/2023)

ORDER
IN
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Date :03/08/2023

RK/DD (11/09/2023) 4P /4C

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