



CRL OP(MD). No.16302 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16302 of 2023

Joseph Raj

... Petitioner/ Accused No.6

Vs

The State, through
The Inspector of Police,
Soolakkarai Police Station,
Virudhunagar District.
(Crime No.130 of 2022).

... Respondent/ Complainant

For Petitioner : Mr.M.Karunanithi,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor.

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C.

PRAYER :-

For Anticipatory Bail in Crime No.130 of 2022 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/Accused No.6, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 6(b), 24(i) of Cigarette and Other Tobacco Products Act, 2003 and under Section 328 IPC, in Crime No.130 of 2022 on the file of the respondent Police, seeks anticipatory bail.

2. The facts in brief:

The petitioner moved repeated applications seeking anticipatory bail before this Court in CrI.O.P(MD) Nos.3703 of 2023 and 9289 of 2023 that came to be dismissed on 27.02.2023 and 18.05.2023 respectively. After that, the application in CrI.O.P(MD) No.14104 of 2023 has been filed, that was also came to be dismissed on 30.08.2023. In spite of repeated dismissals, it was submitted by the learned counsel for the petitioner that the petitioner was arrested and remanded to custody. Later, he was released on bail by the Sessions Court, Virudhunagar District at Srivilliputhur. Now this petition has been filed seeking anticipatory bail.

2. This Court is unable to understand the reason for filing this petition, since the petitioner has already granted bail by the Sessions Court, Virudhunagar District at



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Srivilliputhur, in Crl.M.P.No.2611 of 2023, he ought to have complied the above said condition. If he could not comply the above said conditions, he ought to have moved application before the Court, which granted the relief.

3. After dismissal of three petitions by this Court, again the petitioner moved application for anticipatory bail. It is a clear abuse of process of law. So, cost of Rs.10,000/- is imposed upon the petitioner. The trial Court is directed to recover the above said cost from the petitioner during the course of trial and remit the same to the Government's account.

4. With the above said directions, this Criminal Original Petition is dismissed.

sd/-
08/09/2023

/ TRUE COPY /

/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

1.THE JUDICIAL MAGISTRATE NO.II, VIRUDHUNAGAR.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

3. THE INSPECTOR OF POLICE,
SOOLAKKARAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

COPY TO:
THE SESSIONS JUDGE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

ORDER
IN
CRL OP(MD) No.16302 of 2023
Date :08/09/2023

RK /DD(12/10/2023) 4P / 5C

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