



Crl.O.P.No.7141 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner in Crime No.1292 of 2023 registered for the alleged offences under Sections 6(1)(a), 24(1) of COTPA Act r/w Section 328 of IPC on the file of the respondent police seeks anticipatory bail.

2. The learned counsel appearing for the petitioners submitted that the petitioners are A2 and A3. The learned Government Advocate(Crl. Side) stated that the petitioners are A1 and A3 and they had been running transport business for transporting banned cigarettes and other Tobacco products from Bangalore city. It is stated that A3 is the driver of the vehicle, who has been granted anticipatory bail. It is also stated that as against these two petitioners, yet another case has been registered for transporting more tobacco products. Even in that case, the petitioners have sought for anticipatory bail.

3. The other case referred above, the Crime No.8 of 2024 registered by the respondent police for the offences punishable under Sections 7(1) of COTPA act r/w 328 of IPC with respect to an occurrence took place on 05.01.2024. In that case, 2,425 kgs of banned tobacco products had been



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transported. The petitioner had filed anticipatory bail application in that FIR in CrI.O.P.No.1490 of 2024 and this Court dismissed the same by an order dated 22.02.2024.

4.It is thus seen that the petitioners are continuously involved themselves in transporting the banned tobacco products.

5. The learned counsel for the petitioners stated that the Mangers of the various branches of the petitioners' lorry service are responsible for transporting of banned tobacco products. But as the owner/son of the owner, the petitioners will have equal liability to answer to the offence alleged.

6. Taking all those factors into consideration, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition stands dismissed.

25.03.2024

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