



CRL.O.P.No.10066 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest for the alleged offence under Sections 328 of IPC and Section 7 and 20(2) of Cigarette and other Tobacco Products Act, 2003 in Crime No.55 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that on 31.01.2024, at about 8.00am, when the respondent police were on regular patrol duty at Hosur to Salem National Highways near Dharmapuri L & T parking, they found that the 1st accused was found to be in illegal possession of some banned tobacco products in a lorry bearing registration No.KA 06 C 6033. Further, A1 made confession that as per the direction of the vehicle owner, petitioner/A2 along with A3 committed the offence and they were in illegal possession of banned tobacco products worth about Rs.12 lakhs. Hence, the complaint.



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3. The learned Counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and a false case has been foisted against him. He would further submit that the petitioner is driver of the vehicle. He further submitted that only on the confession statement of the first accused, the petitioner has been implicated as an accused in this case. He would also submit that 1st accused was arrested and enlarged on bail. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) for the respondent police submitted that the petitioner along with the other accused persons were involved in illegal transportation of 1571kgs of banned tobacco products worth about Rs.12 lakhs. He would also submits that petitioner/A2 hails from the State of Karnataka. Hence, he vehemently opposed to grant bail to the petitioner.



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5. Considering the above facts and circumstances of the case, considering the gravity of the offence and also considering the fact that huge quantity of tobacco products smuggled by the accused persons, this Court is of the view that the case needs detailed investigation and custodial interrogation of the petitioner and not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

24.04.2024

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