



Crl.O.P.No.28512 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioners/A3, A4 and A5 in Crime No.274 of 2023 registered by the Respondent Police for the offences under Sections 353, 506(i) and 328 IPC read with Section 24(1) of Cigarette and Other Tobacco Products Acts, 2003, seek anticipatory bail.

2. The learned counsel for the Petitioners stated that the Petitioners are innocent persons and they have been falsely implicated in this case. He also stated that they were nothing to do with the alleged offence and this case has been foisted only for statistical purpose. Thus, he prays for grant of anticipatory bail to the Petitioners herein.

3. It is the case of the Respondent that on information, they went to Fukrey Hukkah Restaurant at Nungambakkam High Road in the middle of night and found the Accused A1 and A2 with the possession of banned tobacco products and using Hookah.



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4. The learned Government Advocate (Criminal Side) stated that the Accused A1 and A2 had been arrested. He also stated that these Petitioners are partners of the said Restaurant and they prevented the Respondent from taking any action and even from seizing materials or from effecting arrest. A counter affidavit had been filed by the Respondent, wherein, it had been very specifically stated that the smoking zone had been used in violation of all the conditions. It had also been stated that the Petitioners had also obstructed the Respondent from discharging their duties. Hence, he strongly opposed this petition.

5. Taking all the factors into consideration, I am not inclined to grant anticipatory bail to the Petitioners herein. Accordingly, this Criminal Original Petition stands dismissed.

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