



CrI.O.P.(MD)No.2840 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 10.04.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.2840 of 2024

and

CrI.M.P.(MD)Nos.2216 & 2217 of 2024

John Christopher

... Petitioner

Vs.

The Inspector of Police

Eraniel Police Station,

Kanyakumari District,

Crime No.429/2021

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the charge sheet in C.C. No. 890 of 2022 pending on the file of the learned Judicial Magistrate Eraniel, Kanyakumari District and quash the same as against this petitioner.

For Petitioner : Mr.P.Saravanakumar

For Respondent : Mr.P.Kottaichamy

Government Advocate (CrI.Side)

ORDER

The petitioner is facing a charge before the learned Judicial Magistrate Eraniel, Kanyakumari District, in C.C.No. 890 of 2022 for the offence punishable under Sections 6(a), 24(1) of the Cigarette and other



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Tobacco Products Act (COTPA), 2003 and Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015.

2. The case of the prosecution is that on 02.07.2021, the petitioner and other accused were found in possession of banned Tobacco products without any valid permission from the Government. Hence, a case has been registered.

3. The learned Government Advocate (CrI.Side) appearing for the first respondent, by referring the FIR in Cr.No.429 of 2021, submits that there are specific allegations as against the petitioner.

4.The learned counsel appearing for the petitioner submits that he has not committed any offence as alleged by the prosecution. The respondent police have falsely implicated the petitioner in this case and hence, prayed for quashing the charge sheet as against the petitioner.

5. Since there is a specific allegation against the petitioner, this Court is not inclined to entertain this petition. The petitioner can establish his innocence before the Trial Court by adducing evidence.



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6. This criminal original petition is dismissed. Consequently,
connected Miscellaneous Petitions are closed.

10.04.2024

Index : Yes/No
Internet: Yes
NCC : Yes/No
LS

To

- 1.The Judicial Magistrate,
Eraniel,
Kanyakumari District.
- 2.The Inspector of Police
Eraniel Police Station,
Kanyakumari District,
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

LS

Order made in
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