



CRL OP(MD). No.11564 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 30/07/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD). No.11564 of 2024

M.Saravanan

... Petitioner/4th Accused

Vs

The Inspector of Police,
Thadikombu Police Station,
Dindigul District.
Crime No.217/2024.

... Respondent/Complainant

For Petitioner : Mr.K.Jeyamohan, Advocate

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.217 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.217 of 2024, for the offence punishable under Sections 123 BNS, 2023 r/w Sections 6(a) and 24(1) of Cigarette and Other Tobacco Products Acts, 2003, has filed this petition seeking anticipatory bail.



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2.The case of the prosecution is that the petitioner and other accused were found in illegal possession of tobacco products weighing 71 kilograms. Hence the case.

3.The earlier application in Crl.O.P(MD)No.10222 of 2024 was dismissed by this Court by considering the antecedent of the petitioner and the quantity involved in this case.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police raised serious objections to grant anticipatory bail to the petitioner stating that apart from this case, the petitioner has involved in the following cases:

"Crime Nos.720, 373/2024, 1153/2021, 270 & 2556 of 2020, 257 & 466 of 2018, 716 of 2016 and 4/2021, pending before Town North Police Station, Dindigul"

5.The learned counsel appearing for the petitioner has justified that only on 03.07.2024, the petitioner was released on bail by the learned Judicial Magistrate No.II, Dindigul, in Cr.M.PNo.9836 of 2024 in Crime No.720 of 2024. On the next day, the present case has been foisted as against the petitioner. He has further submitted

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that no banned products were recovered from the petitioner.

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6.In reply, The learned Government Advocate (Crl.Side) submits that even after releasing on bail, the petitioner has indulged in further offence. The Additional Superintendent of Police, Dindigul has conducted a raid and has arrested the first and second accused, from whom the banned tobacco products were recovered. At that time, on seeing the police party, four persons were fled the scene of occurrence. In that, one of the such persons is the petitioner.

7.Considering that the petitioner has indulged in another offence that too on the very next day of releasing on bail, the objections raised by the learned Government Advocate (Crl.Side), antecedent of the petitioner and also considering that the investigation is in initial stage, this Court is not inclined to grant any relief to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
30/07/2024

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/08/2024
Sub-Assistant Registrar (CS-I/ II / III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR



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TO
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1.The Inspector of Police,
Thadikombu Police Station,
Dindigul District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.JEYAMOHAN, Advocate (SR-9127[I] dated 31/07/2024)

ORDER
IN
CRL OP(MD) No.11564 of 2024
Date :30/07/2024

RK/VR (07/08/2024) 4P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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