



CRL OP(MD). No.19335 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19335 of 2024

Joseph Kanagaraj

... Petitioner/ Accused Rank not known

Vs

The Senior Intelligence Officer,
Directorate of Revenue Intelligence,
Thoothukudi,
Thoothukudi District.

Crime No.Not known of 2024.

... Respondent/Complainant

For Petitioner : Mr.C. Jeganathan, Advocate.

For Respondent : Mr.C.Arul Vadivel @ Sekar,
Special Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. not known of 2024 on the file of the
respondent police



CRL OP(MD). No.19335 of 2024

ORDER: The Court made the following order :-

WEB COPY

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 132 and 133 of Customs Act in Crime No. not known of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The anticipatory bail petition has been filed by the petitioner based on the summons that has been issued under Section 108 of the Customs Act directing him to appear for recording the statement.

3. The objections have been filed by the respondent by citing reasons as to why the petitioner was asked to attend for the enquiry.

4. In the considered view of this Court, the mere issuance of summons under Section 108 of the Customs Act to appear for recording the statement, cannot be a ground for granting anticipatory bail to the petitioner. This Court has considered this issue in detail in Crl.O.P.(MD)No.6955 of 2022 by an order dated 18.05.2022.

5. The learned counsel appearing for the petitioner submitted that summoning the petitioner to record his statement will result in violation of Article 20(3) of the Constitution.

6. This question cannot be a ground to entertain this anticipatory bail petition and this has to be challenged by the petitioner in the manner known to law.



CRL OP(MD). No.19335 of 2024

7. In the result, the criminal original petition stands dismissed.

WEB COPY

sd/-
11/11/2024

/ TRUE COPY /

/11/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

To

1.The Senior Intelligence Officer,
Directorate of Revenue Intelligence,
Thoothukudi, Thoothukudi District.

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

+1 CC to M/s.C.JEGANATHAN, Advocate (SR-13901[I] dated 12/11/2024)

ORDER
IN
CRL OP(MD) No.19335 of 2024
Date :11/11/2024

ED/ /SAR- (23/11/2024) 3P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023