

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, SALEM

Present : Thiru.S.Jeganathan, B.A., B.L., D.C.A., C.J.,
Principal Sessions Judge (i/c),
I Additional Sessions Judge,
Salem.

Thursday, the 13th day of October, 2022

CRIMINAL MISCELLANEOUS PETITION NO.3426/2022
(CNR.No.TNSA010054952022)

Arisiyappan (55) S/o Naina UdaiyarPetitioner/ Accused.

/ Versus /

State by: The Inspector of Police,
Karipatty PS.
Cr.No.285/2022.

....Respondent / Complainant.

This petition is filed on 11.10.2022 under section 439 of Code of Criminal Procedure, to grant bail to the petitioner.

This petition is filed by Thiru.T.Vignesh, Counsel for the petitioner and the Public Prosecutor for the respondent, after perusing the averments, this Court delivered the following:

O R D E R

Heard both sides and perused the records.

This petition is filed by Counsel for the petitioner/accused U/s 439 of Cr.P.C., seeking bail. The petitioner/accused was remanded to judicial custody on 07.10.2022 for the alleged offences u/sec.328 IPC r/w sec.7(2) and 20(1) of Cigarette and other Tobacco Products Act, 2003.

The learned counsel for the petitioner would submit that the petitioner is falsely implicated in this case and the petitioner is in judicial custody for the past 7 days; only on secrete information as alleged by the respondent, the petitioner was arrested and remanded to judicial custody;

there is no previous case against the petitioner; hence prays to release the petitioner on bail with any condition.

Per contra, the learned Public Prosecutor would submit that the petitioner was found in possession of 182 kg of banned tobacco products in 18 gunny bags worth Rs.1,48,650/- in Maruthi Van bearing registration No.TN 43 B 6174; the investigation reveals that there are so many colleges and schools surrounding nearby area, from where the accused was apprehended; the petitioner used to sell the banned tobacco items to the students at large; the investigation is at initial stage, hence he strongly opposed to grant bail to the petitioner.

Considering the facts and circumstances and taking into account the huge quantity and the mode of transport and the initial stage of investigation, this Court is not inclined to grant bail to the petitioner.

As such this petition is dismissed.

Pronounced by me in Open Court, this the 13th day of October, 2022.

Sd /- S.Jeganathan,
Principal Sessions Judge (i/c),
I Additional Sessions Judge,
Salem

Copy to the petitioner through Thiru.T.Vignesh,
Advocate, Salem.