

In the Court of the Vacation Sessions Judge, Theni.

Present: Thiru. P. Ganesan, B.A., B.L., D.L.L.,
Vacation Sessions Judge, Theni,

Dated this the 29th day of May 2024

CrI.M.P. No. 174/2024

CNR.No.TNTH00-000217-2024

Arunpandiaraj

... Petitioner/Accused

-Versus-

State through the Inspector of Police,
Allinagaram, P.S. in
Cr.No.159/2024

... Respondent/Complainant

This petition is coming up on this day before me for hearing in the presence of Thiru.S.Kajamydeen, for the petitioner and the Learned Public Prosecutor for the State and this Court passed the following:

ORDER

This petition has been filed by the petitioner/accused U/s.439 of Code of Criminal Procedure seeking bail.

2. The Nitty-Gritty of the prosecution case is as follows :-

The petitioner allegedly transported prohibited tobacco products in their two wheeler. Therefore case registered against them U/s.272, 273, 328 IPC & 24(1), 6(b) of COTP Act.

3. Heard both sides.

4. The points for determination is that can the petitioner be released on bail ?

Answer :

5. The FIR would prima-facie reveal that the petitioners illegally transported prohibited tobacco products in their motor cycle which valued at Rs.10,808/-. As submitted by the prosecution, the investigation is underway and if released on bail, the petitioner would again commit similar offence. Using tobacco item would largely affected the society that is why the same was prohibited by the State Government. Considering the impact on the society at large and the investigation is underway, I am not inclined to release the petitioner on bail.

In result, this bail petition is dismissed.

Pronounced by me in open Court on this the 29th day of May 2024.

**Vacation Sessions Judge,
Theni.**

Copy to:

The Judicial Magistrate, Theni.