

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, DINDIGUL

**PRESENT: Selvi. M.K. Jamuna, M.L.,
Principal Sessions Judge, Dindigul.**

Friday, the 13th day of August 2021

CrI.M.P. No.2391/2021
CNR No.TNDG01-003619-2021

1. Mohammed Ismail, 47/2021 S/o. Kamaluthin
2. Thamilarasi, 25/2021 D/o Nagaraj .. Petitioners/A1 and A2

/vs/

State through
Inspector of Police, Batlagundu PS. .. Respondent/Complainant
Cr. No.929/2021

This e-bail petition is coming on this day for hearing before me in the presence of Thiru.V.Maria Selvaraj, Advocate for the petitioners and of Thiru. R.Manoharan, Public Prosecutor for the state on record and on considering the online submissions of either side and on perusal of available records, this court passed the following

ORDER

Petition filed U/s. 439 Cr.P.C. petitioners/A1 and A2 pray to enlarge them on bail for the offences punishable U/S. 420, 336, 465, 468, 481 IPC, Section 103(a), 104 of Trade Marks Act, 1999 and Section 6(b), 24(1) of Cigarette and other Tobacco Products Act 2003 and 4(1-A) of TNP Act in Cr. No.929/2021 of respondent police. The occurrence took place on 23.7.2021 and they were remanded on the same day.

The learned counsel for the petitioners/A1 and A2 stated that the petitioners are innocents and noway connected with the alleged occurrence, that they have been falsely implicated in this case for statistical purpose, that they are bread winners of their family, that the alleged properties have been recovered, that the petitioners are ready to abide any condition imposed by this Hon'ble Court, that the petitioners have permanent abode, hence there is no chance for absconding, that the petitioners were remanded on 23.7.2021 and they are in custody for the past 20 days and prays for bail.

The learned Public Prosecutor for the State vehemently raised objection for bail that on the basis of the reliable information received, the respondent police party urged to Thirunagar Branch Road situated in Batlagundu to Madurai Road, they saw A1 standing with a bag on the road side, they surrounded him and searched his bag and found 4 Ganesh Tobacco Pockets and on the basis of information given by him, they seized 1222 Ganesh Tobacco pockets, 1005 Loyal Pockets, 4410 Vimal Pan Masala pockets, 175 VI Tobaccot pockets, 1350 Baba sait Tobacco pockets, 128 fake Malabar Beedi pockets, 147 fake Syed Beedi pockets and 14 White Field Brandy bottles, 9 Blanket Rum bottles from the house of A2, hence the case.

.2.

Online submission of either side heard. Records perused. The case was registered against the accused U/S. 420, 336, 465, 468, 481 IPC, Section 103(a), 104 of Trade Marks Act, 1999 and Section 6(b), 24(1) of Cigarette and other Tobacco Products Acts 2003 and 4(1A) of TNP Act. The learned Public Prosecutor stated that 3 previous cases are pending against the accused and the investigation is pending. Considering the gravity and nature of the offence and on considering the antecedents and serious objections raised by the learned Public Prosecutor and upon considering the facts and circumstances of the case, this Court not inclines to grant bail to the petitioners/A1 and A2. Hence, the petition is dismissed.

Pronounced by me, this the 13th day of August 2021.

**Principal Sessions Judge,
Dindigul**

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Copy to

The Judicial Magistrate, Nilakottai

The Public Prosecutor, Dindigul.

The Inspector of Police, Batlagundu PS.,

Thiru.V.Maria Selvaraj, Advocate
for the petitioners.

To ensure social distancing, they are requested to
download the order from the official web site link.