



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

Thursday, the Fifth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.13410 of 2017

VIJAYAN  
WRONGLY MENTIONED IN FIR  
AS VIJAYANAND,

... PETITIONER/ACCUSED No.1

Vs

STATE REP BY  
THE INSPECTOR OF POLICE  
KERIMEDU POLICE STATION,  
MADURAI DISTRICT.  
CRIME NO.724/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.RANJITH Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate ( Crl. Side)

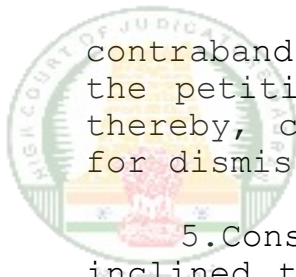
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused No.1, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 20(2) and 24(1) of the Cigarettes and Other Tobacco Products [Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution] Act, 2003 read with Section 328 I.P.C., in Crime No.724 of 2017, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner illegally kept large quantity of prohibited items, such as, Cigarettes, Tobacco products, Gutka and Pan Masala in his petty shop and when the respondent police along with his police party conducted raid on the petitioner's shop, they recovered the same and registered a case against the petitioner for the aforesaid offences.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner would abide by any condition that may be imposed by this Court.



contraband articles were recovered from the petitioner's shop and the petitioner is distributing the same to the general public and thereby, causing ill-health to the society and therefore, he prays for dismissal of this petition.

5. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.V, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction the learned Magistrate concerned and on further condition that;

(i) the petitioner shall pay a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the Cancer Institute, Adyar, Chennai, without prejudice to his defence before the trial Court.

(ii) the petitioner shall report before the investigation officer daily between 10.00 a.m. and 11.00 a.m., for a period of three weeks and thereafter, as and when required;

(iii) the petitioner shall not tamper with evidence or witness either during investigation if any or trial;

(iv) the petitioner shall also make himself available for further interrogation including any further custodial interrogation as and when required by the investigation officer;

(v) the petitioner shall not commit any offence while on bail;

(vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law and the bail granted stands cancelled automatically.

sd/-  
05/10/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



1 THE JUDICIAL MAGISTRATE NO.V, MADURAI

2 THE CHIEF JUDICIAL MAGISTRATE  
MADURAI DISTRICT

3 THE OFFICE INCHARGER,  
CANCER INSTITUTE, ADYAR, CHENNAI

4 THE INSPECTOR OF POLICE  
KERIMEDU POLICE STATION, MADURAI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI

+1. CC to M/S.N.RANJITH Advocate SR.No.32187

ORDER  
IN  
CRL OP(MD) No.13410 of 2017  
Date :05/10/2017

SMA/RR-BS/SAR-1/10.10.2017:2P/7C