



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

Date : 25/08/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP (MD) . No.12146 of 2021

TAMILARASI

... PETITIONER/ACCUSED NO.2

VS

STATE THROUGH
THE INSPECTOR OF POLICE,
BATLAGUNDU POLICE STATION
DINDIGUL DISTRICT
(CRIME NO.929 OF 2021)

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.MANAVALAN K,
ADVOCATE.

FOR RESPONDENT : MR.T.SENTHILKUMAR,
GOVERNMENT ADVOCATE (CRL.SIDE)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.929 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested on 23.07.2021 for the offences punishable under Sections 420, 336, 465, 468 and 481 I.P.C, Sections 103(a), 104 of Trade Marks Act, 1999 and Section 6(b), 24(1) of Cigarette and other Tobacco Products Act, 2003 and Section 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.929 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the respondent police has seized 1222-Ganesh tobacco pockets, 1005-loyal pockets, 4410-vimal pan masala pockets, 175 VI-tobacco pockets, 1350-baba sait tobacco pockets, 128-fake malabar beedi pockets, 47 fake syed beedi pockets, 14-white field branch bottles and 9 blanket rum bottles from the house of the petitioner. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner is a woman and she has not committed any offence as alleged by the prosecution. But, she has been falsely implicated in this case and she is inside the prison from 23.07.2021. She is



having two children and they are living without the care of their mother. Therefore, the learned counsel prays for grant of bail.

4. The learned Government Advocate (Crl.side) appearing for the respondent police would submit that the final report is yet to be filed. He would further submit that the petitioner is not having any bad antecedent.

5. Considering the facts and circumstances of the case, the fact that the petitioner's children are living without the care of their mother, the petitioner has not involved in any other offences and also the period of incarceration, this Court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Nilakottai, and on further condition that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall appear before the respondent police daily at 10.30 a.m until further orders.

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

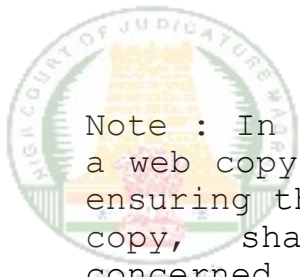
[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Sd/-
25/08/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

TO

1. THE JUDICIAL MAGISTRATE
NILAKOTTAI.
2. DO THOROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT
3. THE CENTRAL WOMEN PRISON,
MADURAI
4. THE INSPECTOR OF POLICE,
BATLAGUNDU POLICE STATION
DINDIGUL DISTRICT
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.12146 of 2021

Date :25/08/2021

GC/VR/SAR-II/25/08/2021/3P/6C