



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 13/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19535 of 2021

Kadhar Ibrahim

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Keelavalavu Police Station,
Madurai District.
(Crime No.333/2021).

... Respondent/Complainant

For Petitioner : M/s.B.SANTHANAM RAJESH KUMAR,
Advocate.

For Respondent : Mr.R.MEENAKSHI SUNDARAM,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.333 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who were arrested on 29.11.2021 for the alleged offence under Sections 7(1), 24(1) of COTPA Act 2003 r/w 328 of IPC, in Crime No.333 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused persons were found in illegal possession of 250 packet Ganesh Tobacco, 450 packet V1 Tobacco, 350 packet pan masaala. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that the co-accused was arrested and thereafter released on bail by the learned Principal Sessions Judge, Madurai and also submitted that the petitioner is in judicial custody from 29.11.2021. He further submitted that the petitioner is ready to file an undertaking affidavit before the respondent police stating that he will not indulge any offence in future.

4.The learned Additional Public Prosecutor submitted that one previous case is pending against the petitioner and also submitted that the petitioner is the owner of the shop.



5.Considering the facts and the circumstance of this case, his readiness to file an undertaking affidavit and the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 Court, Melur, Madurai District, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

7.The petitioner is directed to file an undertaking affidavit before the respondent police stating that he will not indulge this kind of offence in future

sd/-

13/12/2021

/ 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.

TO

- 1 THE JUDICIAL MAGISTRATE
MELUR, MADURAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE OFFICER INCHARGE
SUB JAIL, MELUR,
MADURAI DISTRICT.
- 4 THE INSPECTOR OF POLICE,
KEELAVALLAVU POLICE STATION,
MADURAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.19535 of 2021

Date :13/12/2021

SA/PN/SAR.4/13.12.2021/2P/6C