



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

Date : 22/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . Nos.19725 and 20120 of 2021

WEB COPY

Crl.O.P. (MD) .No.19725 of 2021

1. Mohanraj

2. Chithiraisevan

... Petitioners/Accused No.5 & 6

Vs

State Rep.by

The Inspector of Police,

Kulasekarapattinam Police Station,

Thoothukudi District.

(Crime No.305/2021).

... Respondent/Complainant

For Petitioners: M/s.Pon Karthikeyan.R,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

Crl.O.P. (MD) .No.20120 of 2021

Albert Rajan

... Petitioner/Accused No.2

Vs

State Rep.by

The Inspector of Police,

Kulasekarapattinam Police Station,

Thoothukudi District.

(Crime No.305/2021).

... Respondent/Complainant

For Petitioner : M/s.Pon Karthikeyan.R,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

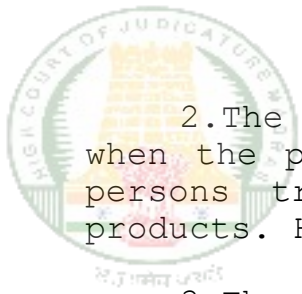
PETITIONs FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.305 of 2021 on the file of the respondent police.

COMMON ORDER : The Court made the following order :-

The petitioners/A5, A6 and A2 herein, who were arrested on 02.12.2021 for the alleged offence under Sections 328 of IPC, 6(b) and 24(1) of COTPA Act, in Crime No.305 of 2021 on the file of the respondent police, seek bail.



2.The case of the prosecution is that on secret information when the police party went to the place of occurrence the accused persons trying to illegally transport 17 Kg.of banned tobacco products. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they were falsely implicated in this case and they have not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor submitted that the petitioners are involved in illegal activities of purchasing of banned tobacco products and distributing the same to the public and school and college going children. The 5th accused is having three previous cases, 6th accused is having two previous cases of similar in nature. Similarly, 2nd accused is having five previous cases.

5.It appears that there petitioners are continuously involved in illegal activities. The A1 in this case has been released on bail by this Court in Crl.O.P.(MD).No.20216 of 2021 on condition that the petitioner must put up a display board in front of his shop showing the words 'no such banned product will be sold' and it must be photographed and a copy of the same to be produced before the concerned Court. In view of the same and considering the duration of custody, this Court is inclined to grant bail to the petitioners on certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Tiruchendur, and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

7.The petitioners shall file an undertaking affidavit before the concerned Court stating that they will not indulge in any such sort of illegal activities in future. If there is any violation of affidavit or if any fresh case is registered against them, the bail granted by this Court shall stand cancelled automatically without any reference to the Court.

sd/-
22/12/2021

/ TRUE COPY /

22/12/2021
Sub-Assistant Registrar (C.S.III)
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, Tiruchendur.
2. Do-Through The Chief Judicial Magistrate,
Thoothukudi District.
3. The Officer In-charge, Sub-Jail, Kovilpatti.
4. The Inspector of Police,
Kulasekarapattinam Police Station,
Thoothukudi District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+2 CC to M/s.R.PON KARTHIKEYAN, Advocate (SR-9648 & SR-9647 dated 22/12/2021)

ORDER IN
CRL OP(MD) No.19725 & 20120 of 2021
Date :22/12/2021

RS/PN/SAR3(22.12.2021) 3P-8C