



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 05/01/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.73 of 2022

Ramki @ Ramakrishnan

... Petitioner/1st Accused

Vs

The state represented by
The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.
Cr.No. 1241 of 2021..

... Respondent/Complainant

For Petitioner : M/s.Venkatesh.D,
Advocate.

For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.1241 of 2021 on the file of the Respondent Police.

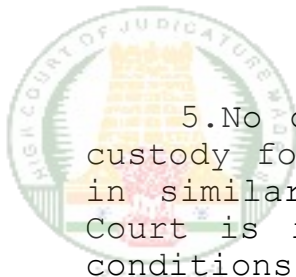
ORDER : The Court made the following order :-

The petitioner/Accused No.1 herein, who was arrested on 13.12.2021 for the alleged offence under Sections 328 r/w 6(a) r/w 24(1) of Cigarette and Other Tobacco Products Act, 2003 in Crime No.1241 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on secret information when the police party went to the place of occurrence the petitioner along with co-accused, possessed with 3 bags of banned Tobacco products. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He would further submit that reading of the FIR shows that it is a clearly put up false case.

4.The learned Additional Public Prosecutor submitted that there are three previous case pending against the petitioner under various IPC offences. The petitioner is A1 in this case.



5.No doubt the petitioner is having bad antecedents. He is in custody for this case from 13.12.2021. But he has no previous case in similar nature. Considering the period of incarceration, this Court is inclined to grant bail to the petitioner with stringent conditions.

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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, Aranthangi, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

7.Further the petitioner shall file an undertaking affidavit before the concerned Court stating that he 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 him under any offence, the bail granted by this Court shall stand cancelled automatically without any reference to the Court.

sd/-

05/01/2022

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/ /2022

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
ARANTHANGI
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT JAIL, PUDUKOTTAI.
- 4 THE INSPECTOR OF POLICE
ARANTHANGI POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.73 of 2022

Date :05/01/2022