



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/01/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.442 of 2022

Karthick

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Manamelkudi Police Station,
Pudukkottai District.
Cr.No. 1 of 2022.

... Respondent/Complainant

For Petitioner : M/S.KRISHNAVENI.M,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.1 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1 herein, who was arrested on 02.02.2022 for the alleged offence under Sections 284, 328 r/w Section 6(a), 24(1) COTPA Act, 2003 in Crime No.1 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on receipt of secret information, when the police parties went to the spot, the petitioner along with two others having possession of some banned poisonous 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. She would further submit that the petitioner is only recently married and going to celebrate his first Thai Pongal Festival. Except this ground the petitioner has not raise any valid ground.



4.The learned Additional Public Prosecutor submitted that the petitioner is involved in two previous cases, which are similar in nature.

5.Considering the ground raised by the learned counsel for the petitioner and the period of incarceration, this Court is inclined to grant bail to the petitioner with stringent 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) to the Superintendent, Sub Jail, Thanjavur and thereafter, within a period of fifteen days, he shall produce two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Aranthangi and on further condition that

(i)the petitioner shall report before the respondent police once in fifteen days at 10.30 a.m. until further orders.

(ii) the petitioner shall file an affidavit before the concerned Court stating that he will not indulge in such sort of activities in future.

(iii) if there is any violation of affidavit and if any fresh case is registered against him, the bail granted by this Court in this petition shall stand dismissed automatically without any reference to the Court.

sd/-
12/01/2022

/ TRUE COPY /

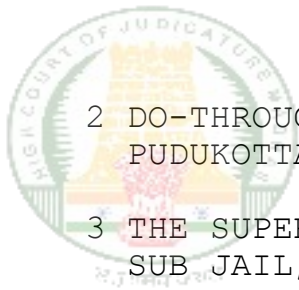
12/01/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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.

<https://hcservices.ecourts.gov.in/hcservices/>



2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.

3 THE SUPERINTENDENT,
SUB JAIL, THANJAVUR.

4 THE INSPECTOR OF POLICE
MANAMELKUDI POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.442 of 2022

Date :12/01/2022

RS/JC/SAR.1 (12.01.2022) 3P-6C