



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

Date : 02/02/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN  
CRL OP(MD). No.957 of 2022

WEB COPY

M.Pandiyarajan

... Petitioner/Accused No.3

Vs

The State Rep. By,  
The Inspector of Police,  
Rajapalayam South Police Station,  
Virudhunagar District.  
(Crime No.431/2021).

... Respondent/Complainant

For Petitioner : Mr.R.Ilayaraja, Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.431/2021 on the file of the  
Respondent Police.

ORDER : The Court made the following order :-

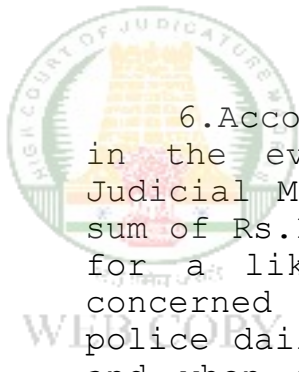
The petitioner/Accused, who apprehends arrest at the hands of  
the respondent police for the offences punishable under Sections 328  
IPC, Section 7 & 20(1) of Cigarette and other Tobacco Products Act,  
2003, in Crime No.431 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons were  
found in possession of banned tobacco products weighing 3 ½ kgs  
worth about Rs.2,400/-. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the  
petitioner is an innocent and not committed any offence as alleged  
by the prosecution. The petitioner is travelled along with the first  
accused and that the co-accused was already enlarged on bail Hence,  
prays to release him on anticipatory bail.

4.The learned Government Advocate (Crl.Side) appearing for the  
respondent would submit that the petitioner is not having any  
previous case and the investigation is not yet completed.

5.Considering the nature of charges levelled against the  
petitioner, that the limited role played by the petitioner, that the  
petitioner is not having any bad antecedents and that the co-accused  
was already released on bail by this Court, this Court is inclined  
to grant anticipatory bail to the petitioner with certain



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate, Rajapalayam and on his 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 Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 am for a period of 30 days and thereafter, as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

02/02/2022

/ TRUE COPY /

/ /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, RAJAPALAYAM.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
3. THE INSPECTOR OF POLICE,  
RAJAPALAYAM SOUTH POLICE STATION,  
VIRUDHUNAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.ILAYARAJA, Advocate ( SR-628[I] dated 02/02/2022 )

ORDER

IN

CRL OP(MD) No.957 of 2022

Date : 02/02/2022

USK/JM/SAR-I/08.02.2022/2P/6C

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