



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/02/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.2079 of 2022

Kesavaraj ... Petitioner/Accused No.1

Vs

The State Rep. by
The Inspector of Police,
Vempakottai Police Station,
Virudhunagar District.
(Crime No.23/2022).

... Respondent/Complainant

For Petitioner : M/s.E.Marees Kumar
Advocate.

For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl.side)

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

PRAYER :-

For Bail in Crime No.23 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 19.01.2022 for the alleged offence under Sections 328 of IPC read with Section 6(b) read with 24(1) Cigarette and Tobacco Products Act 2003 in Crime No.23 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons were in possession of the banned Tobacco products when the respondent police have conducted routine inspection. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate would submit that there are two previous case is pending against the petitioner in similar nature.

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

5.However, considering the duration of custody underwent by the



petitioner and the fact that the petitioner is running a petty shop, this Court is inclined to grant bail to the petitioner with stringent conditions. The petitioner has to file an undertaking affidavit that he will not indulge in such an illegal activities in future. If any case is registered after grant of bail by this Court, the relief of bail granted to the petitioner will automatically get cancelled.

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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 No.II, Sattur, and on further condition that the petitioner shall report before the respondent police once in 15 days at 10.30 a.m. until further orders.

sd/-
02/02/2022

/ TRUE COPY /

02/02/2022
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 No.II, Sattur.
- 2.Do through the Chief Judicial Magistrate,
Virudhunagar at Srivilliputtur
- 3.The Inspector of Police,
Vempakottai Police Station,
Virudhunagar District.
- 4.The Superintendent of Prison,
Sub Jail,
Srivilliputhur.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.2079 of 2022
Date :02/02/2022