



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/05/2022

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

CRL OP(MD). No.8928 of 2022

WEB COPY

S.Gurusamy

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Kelarajakularaman Police Station,
Virudhunagar District.
(Crime No.73 of 2022).

... Respondent/Complainant

For Petitioner : M/s.T.Thirumurugan,
Advocate.

For Respondent : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.73 of 2022 on the file of the respondent police.

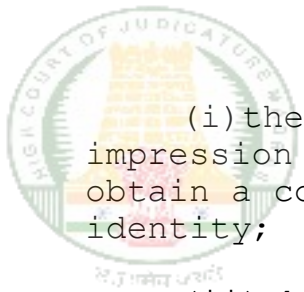
ORDER : The Court made the following order :-

The petitioner who is arrayed as the first accused is said to have implicated in this case for the offences under Sections 328 of IPC and Sections 6(b) and 24(1) of Cigarette and Tobacco Products Act, 2003, which is pending before the respondent police in Crime No.73 of 2022, seeks bail.

2.According to the learned counsel for the petitioner, his name was arrayed as an accused based on the confession given by the second accused. The recovery of the Tobacco product, was also made from the second accused.

3.The learned Additional Public Prosecutor submitted that the petitioner is already involved in one case.

4.Taking into account the overt act attributed to the petitioner, this petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Rajapalayam.



(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter as and when required for interrogation;

(iii)The petitioner shall also file an undertaking affidavit before the trial Court that he will co-operate during the trial;

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial;

(v)On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner, in accordance with law, as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***.

sd/-
06/05/2022

/ TRUE COPY /

06/05/2022
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
KELARAJAKULARAMAN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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



4 THE OFFICER INCHARGE,
SUB JAIL, SRIVILLIPUTHUR.

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

+1 CC to M/s.T.THIRUMURUGAN, Advocate (SR-4397[I] dated 06/05/2022)

ORDER

IN

CRL OP(MD) No.8928 of 2022

Date :06/05/2022

RS/SVR/SAR.4 (06.05.2022) 3P-7C