



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

Date : 28/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11490 of 2022

WEB COPY

Vijay Sharma

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.
(Crime No.146 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Venkatesh D,
Advocate.
For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.146 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

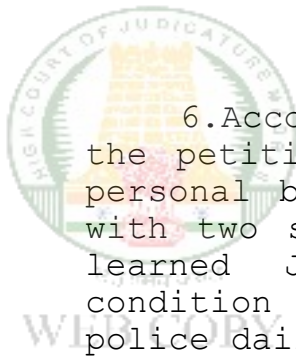
The petitioner/Sole Accused, who was arrested on 15.06.2022 for the alleged offences under Section 328 of IPC and Sections 6, 24(1) of the Cigarette and other Tobacco Products Act, 2003, in Crime No.146 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in possession of 1 pk of Ganesh tobacco, 49 pks of Hans tobacco, 30 pks of Coollip tobacco, 50 pks of VI tobacco and cash of Rs.11,220/-. Hence, the case.

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

4.The learned Additional Public Prosecutor submitted that there is no case is pending against the petitioner in similar nature.

5.Considering the period of incarceration and the fact that no bad antecedents reported against the petitioner, 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) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Cheranmahadevi, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

7. Since offence is serious in nature, the petitioner must file an undertaking affidavit that he will not indulge in such activities in future. If any violation is noticed, bail granted by this Court, shall stand automatically cancelled. After releasing on bail, the petitioner must file a copy of the above said affidavit before the concerned Magistrate Court and send another copy to the concerned Police Station.

sd/-
28/06/2022

/ TRUE COPY /

28/06/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, CHERANMAHADEVI
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
- 4 THE INSPECTOR OF POLICE, SUTHAMALLI POLICE STATION,
TIRUNELVELI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.11490 of 2022
Date :28/06/2022

RS/VR/SAR.2 (28.06.2022) 2P-6C