



WEB COPY

CRL OP(MD). N



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

Date : 19/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12059 of 2022

Yunush Mohamed @ Unis Mohamed, ... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Taluk Police Station,
Dindigul,
Dindigul District.
Cr.No.321/2022.

... Respondent/Complainant

For Petitioner : M/s. Sarvagan Prabhu.S, Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

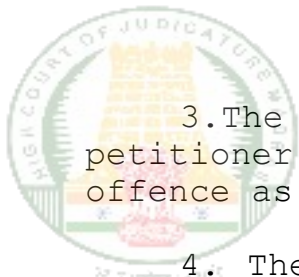
PRAYER :-

For Anticipatory Bail in Cr.No.321/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 328 of IPC and Section 6(a), 24(1) of Cigarette and other Tobacco Products Act 2003, in Crime No.321 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that based on the secret information, the respondent police inspected and searched the petitioner's house on 13.06.2022. During the course of search, the petitioner was found in illegal possession 19 gunny bags of banned tobacco products. Hence, the complaint.



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

4. The learned Government Advocate(Crl.side) appearing for the respondent police submitted that no previous case is pending against this petitioner.

5.On perusal of CD file, it shows that large quantity of banned tobacco products were recovered from the petitioner's house.

6.Considering the facts and circumstances of the case and also the fact the petitioner is not having any bad antecedents, this Court is inclined to grant bail to the petitioner, however, with stringent conditions.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate No.I, Dindigul, 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 on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8.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/-
19/07/2022

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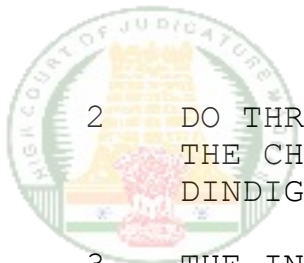
/07/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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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 concerne

TO

1 THE JUDICIAL MAGISTRATE NO.I,
DINDIGUL.



- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE
TALUK POLICE STATION, DINDIGUL,
DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-7319[I]dated 19/07/2022

ORDER
IN
CRL OP(MD) No.12059 of 2022
Date :19/07/2022

PKP/SVR/SAR-4/29.07.2022/3P/6C