



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 28/07/2022  
PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.13743 of 2022

Ganesan

... Petitioner/Accused No.1

Vs

The State rep.by,  
The Inspector of Police,  
Pazhavor Police Station,  
Tirunelveli District.  
Crime No.171 of 2022.

... Respondent/Complainant

For Petitioner : MR.K.Rajeshwaran,  
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.171 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who was arrested on 04.07.2022 for the alleged offences under Sections 328 of IPC and Section 24(i) of Cigarette and Tobacco Products Act, in Crime No.171 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of 15 pks of banned tobacco products for selling to the public and the school going students. Hence, present case came to be registered.

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. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submitted that the petitioner is having 1 previous case similar in nature.

5.At this juncture, the learned counsel for the petitioner would submit that he is ready to file an undertaking affidavit that he will not indulge in such activities in future.



6. Considering the period of incarceration and also considering the fact that the willingness of the petitioner to file an undertaking affidavit, this Court is inclined to grant bail to the petitioner with stringent conditions.

7. 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, Valliyoor, Tirunelveli District, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

8. 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/-

28/07/2022

/ TRUE COPY /

29/07/2022

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  
VALLIYOOR, TIRUNELVELI DISTRICT.
- 2 DO-THROUGH :  
THE CHIEF JUDICIAL MAGISTRATE, THIRUNELVELI DISTRICT.
- 3 THE OFFICER INCHARGE,  
SUB JAIL, NANGUNERI.
- 4 THE INSPECTOR OF POLICE  
PAZHAVOR POLICE STATION, TIRUNELVELI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.RAJESHWARAN K Advocate SR.No.7844.

ORDER

IN

CRL OP(MD) No.13743 of 2022

Date : 28/07/2022

DSS

<https://www.mhjn.org.in/29.07.2022/2P/7C>