



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 12/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD) . No.14556 of 2022

Ashok

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Karur Town Police Station,
Karur District.
(Crime No. 530 of 2022).

... Respondent/Complainant

For Petitioner : M/s.S.PRABHA, 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.530 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

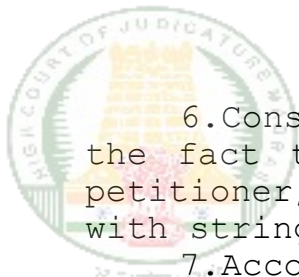
The petitioner/Sole Accused, who was arrested on 03.08.2022 for the alleged offences under Sections 272, 273 & 328 of IPC r/w Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015 & Section 24(1) of Cigarette and other Tobacco products Act, 2003, in Crime No.530 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is running a grocery shop and he was found in possession of 2033 Kgs of various tobacco products, which was banned by the Government, for selling to the school going children and young. Hence, the present case has been registered against the petitioner and he was arrested on 03.08.2022. Ever since, he is in custody.

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

4.The learned Government Advocate (Crl.Side) submitted that no previous case is pending against the petitioner. But, however, he used to indulge in such activities.

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



6. Considering the period of incarceration and also considering the fact that no previous bad antecedent is reported against the petitioner, 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 Judicial Magistrate No.I, Karur, Karur District, and on further condition that the petitioner shall report before the concerned Magistrate Court 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/-
12/08/2022

/ TRUE COPY /

12/08/2022
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.I, KARUR, KARUR DISTRICT.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.
- 3 THE OFFICER INCHARGE, SUB JAIL, KARUR.
- 4 THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION, KARUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.GOKULRAJ.S Advocate SR.No.8501

ORDER IN

CRL OP(MD) No.14556 of 2022
Date :12/08/2022

DSS

SA/PN/SAR.1/12.08.2022/2P/7C

<https://www.mhc.tn.gov.in/judis>