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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 25/08/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.15339 of 2022

V.Sankar

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Thiruvidaimarudhur Police Station,
Thanjavur District.
Crime No.776 of 2022.

... Respondent/Complainant

For Petitioner : M/s.DHAMODHARAN.T,
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 Crime No.776 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 328 IPC and Section 20(1) of Cigarette and other Tobacco Products Act, 2003 in Crime No.776 of 2022 on the file of the respondent police, seeks anticipatory bail.

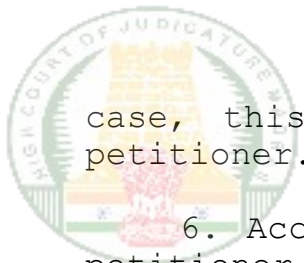
2. The case of the prosecution is that while the defacto complainant was in routine check up, the petition herein is said to have found in possession of 160 Kgs of prohibited tobacco products. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner is not having any previous case and the the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is not having any previous

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



case, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned District Munsif - Cum - Judicial Magistrate, Thiruvidadaimaruthur on condition that the petitioner shall execute 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 daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
25/08/2022

/ TRUE COPY /

08/09/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUVIDAIMARUDHUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,
THIRUVIDAIMARUDHUR POLICE STATION, THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.DHAMODHARAN T Advocate SR.No.9082

**ORDER
IN**

CRL OP(MD) No.15339 of 2022
Date :25/08/2022

TRP
SA/SVR/SAR.2/08.09.2022/2P/6C