



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.15323 of 2022

WEB COPY

Karikalan

... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Kallal Police Station,
Sivagangai District.
(Crime No.115 of 2022).

... Respondent/Complainant

For Petitioner : M/s.R.Alagumani, 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.115 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, who was arrested on 13.08.2022 for the alleged offences under Sections 272, 273 and 328 of IPC, 1860 and Sections 7(5) and 20(2) of the Cigarette and other Tobacco Products Act, 2003, in Crime No.115 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and A1 are running a petty shop. The defacot complainant is having a habit of taking tobacco (Ganesh Poyalai). On 12.08.2022, at about 09.00p.m, the petitioner taken tobacco product from the shop of the petitioner. It will caused bad health condition to the defacto complainant. 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 Government Advocate (Crl.Side) submitted that no previous case is pending against the petitioner.

5.Considering the period of incarceration and also considering the fact that no bad antecedent is reported against the petitioner,

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



this Court is inclined to grant bail to the petitioner on 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 Court, Karaikudi, Sivagangai, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

29/08/2022

/ TRUE COPY /

30/08/2022

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, KARAISKUDI, SIVAGANGAI DISTRICT.
 - 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
 - 3 THE OFFICER INCHARGE, SUB JAIL, SIVAGANGAI.
 - 4 THE INSPECTOR OF POLICE, KALLAL POLICE STATION,
SIVAGANGAI DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.R.ALAGUMANI, Advocate (SR-9217[I] dated 29/08/2022)

ORDER

IN

CRL OP(MD) No.15323 of 2022

Date :29/08/2022

DSS

RS/JM/SAR.4 (30.08.2022) 2P-7C