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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15589 of 2022

Vairamuthu

... Petitioner/2nd Accused

Vs

The State rep.by,
The Inspector of Police,
Kadaynallur Police Station,
Tenkasi District
(Crime No.285 of 2022)

... Respondent/Complainant

For Petitioner : Mr.D.Venkatesh,
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.285 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner is facing charges under Section 328 IPC and Section 24(1) of Cigarette and other Tobacco Products Act, 2003 in Crime No.285 of 2022 on the file of the respondent police.

2.The case of the prosecution is that on 14.08.2022 at about 03.30 pm., when the defacto complainant as usual was on patrol duty near the place of occurrence, he found that the accused persons sold some packets to the nearby persons from the car as well as the bike bearing Reg.Nos.TN 58 T 0356 and TN 76 AA 7533 respectively. On seeing the police, the accused persons tried to escape, but however, they have been arrested. On search, he found 12 packets Coollip Tobacco and 269 packets Ganesh Tobacco in the car. Hence, the complaint.

3.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner is having no previous cases.



4. Considering the period of incarceration, this Court is inclined to grant bail to the petitioner with stringent conditions.

5. 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, Tenkasi, and on further condition that the petitioner shall report before the concerned Court daily at 10.30 a.m. until further orders.

6. The petitioner must file an undertaking affidavit before the concerned Court that he will not indulge in such activities in future. If any violation is noticed, the bail that has been granted by this Court in this petition shall stand automatically cancelled, without further reference to this Court.

sd/-

30/08/2022

/ 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,
TENKASI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
- 4 THE INSPECTOR OF POLICE
KADAYNALLUR POLICE STATION, TENKASI DISTRICT
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.D.VENKATESH, Advocate (SR-9333[I] dated 30/08/2022)

ORDER

IN

CRL OP(MD) No.15589 of 2022

Date : 30/08/2022

MM

MK/VR/SAR.IV/30.08.2022/2P/7C

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