



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 06/10/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI
CRL OP(MD) . No.17933 of 2022

Selvamani,
S/o.Paramasivam,
South Street,
Silvarpatty,
Periyakulam Taluk,
Theni District.

... Petitioner/Sole Accused

Vs

State Rep. by
The Inspector of Police,
Devathanapatty Police Station-Rural,
Theni District.
Cr.No.376/2022.

... Respondent/Complainant

For Petitioner : M/s.Thomas Raja Durai J,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.376/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 24.09.2022 for the offences punishable under Sections 273, 328 of IPC r/w 7(2) and 20(2) of Cigarette and other Tobacco Products Act, in Crime No.376 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 35 packets of Ganesh Tobacco, 219 packets of Vimal Panmasala, 540 Packets of VI Pakku and 36 pockets of Cool Lip. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. However, he would further submit that the petitioner, without prejudice to his rights, is ready to deposit the amount that may be imposed by this Court.



4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that the investigation is almost completed.

5.Considering the above and also the nature of the charges levelled against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Periyakulam, and on further condition that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] *The petitioner is directed to pay a sum of **Rs.5,000/- (Rupees Five Thousand only)** in favour of the **Officer-in-Charge, High Court Legal Services Committee, Madurai Bench of Madras High Court, Madurai, S.B.A/c.No.496037387, IFSC : IDIB000H040, Indian Bank, High Court Branch, Madurai.***

[c]the petitioner shall report before the respondent police on **every Wednesday at 10.30 a.m., for a period of 3 weeks** and thereafter as and when required for interrogation.

[d]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[e]the petitioner shall not abscond either during investigation or trial.

[f]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-
06/10/2022

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



TO

1. The Judicial Magistrate,
Periyakulam.
2. Do-Through The Chief Judicial Magistrate,
Theni District.
3. The Superintendent,
Sub Jail, Periyakulam..
4. The Inspector of Police,
Devathanapatty Police Station Rural
Theni District. Cr.No.376/2022.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to M/s.Thomas Raja Durai J,, Advocate, SR.No. 10935

Copy to

The Officer Incharge,
High Court Legal Services Committee,
Madurai Bench of Madras High Court, Madurai

CRL OP(MD) No.17933 of 2022
Date :06/10/2022

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