



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

Date : 03/01/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20302 of 2021

Ashokraj ... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur.

Crime No.1149 of 2021.

... Respondent/Complainant

For Petitioner : Mr.G.Karnan,
Advocate.

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No.1149 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2 herein, who was arrested on 07.12.2021 for the alleged offence under Section 328 of IPC r/w 6 (a), 6(b), 24(1) of Cigarette and other Tobacco Products Act, 2003 and 25(1-B) (b) of Arms Act (as per memo), in Crime No.1149 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused said to have transported 1690 Kg of Tobacco Products by using the Eicher Van, bearing Registration No.TN-30-A-5983. Further, Rs.30,000/- and two knives were seized from the accused. Hence, this complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner herein is the driver of the vehicle and he is in judicial custody from 07.12.2021 and he is not having any previous case. Hence, he seeks bail to the petitioner.



4.The learned Government Advocate (Crl.Side) would submit that properties were recovered from the accused and there is no previous case is pending against the petitioner and the investigation is pending.

5.Considering the period of incarceration and also considering the fact that no previous case is pending against the petitioner, this Court is inclined to grant bail to the petitioner with 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 No.II, Thanjavur, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
03/01/2022

/ TRUE COPY /

/ /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.II, THANJAVUR.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
THANJAVUR TALUK POLICE STATION, THANJAVUR.
4. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.G.KARNAN, Advocate (SR-37[F] dated 03/01/2022)

ORDER
IN
CRL OP(MD) No.20302 of 2021
Date :03/01/2022

DSS
MS/CN/SAR-2/03.01.2022/2P.7C