



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/01/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.20548 of 2021

1. Venkatapathy Singh

2. Sarkkarai Meera

... Petitioners/Accused

2 & 3

Vs

State rep.by

The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.

(Crime No.1241 of 2021).

... Respondent/Complainant

For Petitioner : M/s.T.Lenin Kumar, Advocate.

For Respondent : M/s.R.M.S.Sethuraman,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.1241 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 328 IPC r/w 6(a) r/w 24(1) of Cigarette and other Tobacco Products Acts, 2003, in Crime in Crime No.1241 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused persons were found in selling banned tobacco products illegally and the respondent police seized 335 bundles of Tobacco from the first accused. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and based on the confession of co-accused,



this case has been implicated against the petitioners and that the co-accused was already released on bail.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioners are having two previous cases, not similar in nature.

5. Considering the fact that the petitioners are not having previous case of similar nature, that the co-accused, from whom the contraband was seized, has already been released on bail, this Court is inclined to grant anticipatory bail to the petitioners with stringent conditions.

6. The petitioners shall file an undertaking affidavit before the trial Court that the petitioners will not indulge any offence in future. If any case is registered against the petitioners in future, the anticipatory bail that has been granted in this case, will stand automatically cancelled without reference to this Court.

7. On production of such receipt/acknowledgment and undertaking, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Aranthangi, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners 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/-
10/01/2022

/ TRUE COPY /

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

PNM

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.



1. THE JUDICIAL MAGISTRATE,
ARANTHANGI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
3. THE INSPECTOR OF POLICE,
ARANTHANGI POLICE STATION,
PUDUKKOTTAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.20548 of 2021
Date :10/01/2022

SP/JM/SAR IV/03/02/2022/3P/5C