



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 09/01/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.485 of 2023

WEB COPY

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... Petitioner/Accused No.2

Vs

The State Rep. by,
The Inspector of Police,
Shanarpatti Police Station,
Dindigul District.
(Crime No.347 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Banumathy.A,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.347 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 21.12.2022 for the alleged offences under Sections 328 IPC r/w 6(a) and 24 (1) of Cigarette and other Tobacco Products Act, 2003, in Crime No.347 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with another accused were found in illegal possession of 177kgs of Tobacco Products worth about Rs.2,05,000/-. Hence, the complaint.

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. He would further submit that the petitioner is in custody from 27.12.2022. However, the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor for the respondent police submitted that the petitioner along with other accused were found in illegal possession of 177kgs of Tobacco Products worth about Rs.2,05,000/- and he is having seven previous cases. Hence, he prays for grant bail to the petitioner.



5. Taking into consideration of the facts and submissions by the learned counsels and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner with stringent conditions.

6. Accordingly, the petitioner shall make a donation/non-refundable deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of the Dean, Government Rajaji Medical College Hospital, Madurai, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgement before the trial Court. However, it is made clear that the deposit being made by the petitioner, would not amount of admission of guilt by him.

7. On production of such receipt/acknowledgement, 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 No.III, Dindigul and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

09/01/2023

/ TRUE COPY /

09/01/2023

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

SJI

TO

1. THE JUDICIAL MAGISTRATE NO.III, DINDIGUL.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
DINDUGAL DISTRICT.
3. THE OFFICER-INCHARGE,
SUB-JAIL, DINDIGUL.
4. THE INSPECTOR OF POLICE
SHANARPATTI POLICE STATION, DINDIGUL DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO :

THE DEAN, GOVERNMENT RAJAJI MEDICAL COLLEGE HOSPITAL, MADURAI.

+1 CC to M/s.BANUMATHY.A, Advocate (SR-393[I] dated 09/01/2023)

ORDER

IN

CRL OP(MD) No.485 of 2023

Date : 09/01/2023

USK/VR/SAR- /09.01.2023/2P/8C

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