



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

Date : 13/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

**CRL OP(MD) . No.12803 of 2023**

Michealraj ... Petitioner / Accused No.1

Vs

The Inspector of Police,  
Sattur Taluk Police Station,  
Virudhunagar District  
(Crime No.122 of 2023).

... Respondent/Complainant

For Petitioner : Mr.M.Prabu, Advocate.

For Respondent : Mr.B.Nambiselvam,  
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.122 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1 herein, who was arrested on 01.07.2023 for the alleged offence under Section 328 IPC and Section 6(b) r/w 24(1) of Cigarette and other Tobacco Products Act, 2003, in Crime No.122 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 01.07.2023, the accused persons were found in illegal possession of banned tobacco products worth about Rs.7,620/-. 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. The petitioner is ready to file an undertaking that he will not commit any similar offence in future. The earlier bail application that was filed by the petitioner was dismissed on 06.07.2023 by the Principal District and Sessions Judge, Virudhunagar District. Hence, prays for bail.



4.The learned Additional Public Prosecutor submit at the petitioner is having three previous cases at his credit, among which, one case in similar nature. Considering the nature of offence and huge quantity, prays to dismiss the petition.

5.Considering the facts and circumstances of the case and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with stringent conditions.

6.Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of **Rs.7,620/- (Rupees Seven Thousand Six Hundred and Twenty only)** to the credit of Cr.No.122 of 2023 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

7. On such deposit being made, 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, Sattur**, on further condition that the petitioner shall also file an undertaking affidavit before the trial Court that he will not indulge in any offences in future and on further condition that the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders. If any case is registered against the petitioner in future, the bail that has been granted in this case, will stand automatically cancelled without any reference to this Court.

sd/-  
13/07/2023

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/07/2023

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

INDU

To

1.The Principal District and Sessions Judge,  
Virudhunagar District.

2.The Judicial Magistrate No.II,  
Sattur.

3.Do through the Chief Judicial Magistrate,  
Virudhunagar District at Srivilliputhur.



4.The Inspector of Police,  
Sattur Taluk Police Station,  
Virudhunagar District.

5.The Officer Incharge,  
District Jail, Virudhunagar.

6.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.PRABU, Advocate ( SR-10636[I] dated 13/07/2023 )

ORDER

IN

CRL OP(MD) No.12803 of 2023

Date :13/07/2023

ED/DD/SAR- (14/07/2023) 3P 8C