



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

Date : 17/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.12962 of 2023

Feroz Khan

... Petitioner / Accused No.1

Vs

The State through
The Inspector of Police,
Thirumangalam PEW Police Station,
Madurai District.
(Crime No.785 of 2023.)

... Respondent / Complainant

For Petitioner : M/s Satish.G.R, Advocate

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

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

PRAYER :-

For Bail in Crime No.785/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused herein, who was arrested on 21.06.2023 for the alleged offence under Sections 328 IPC and Sections 7(1), 20(1) of Cigarette and other Tobacco Products Act, 2003, in Crime No.785 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 21.06.2023, the accused persons were found in illegal possession of banned tobacco products weighing 175 kgs. 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. Hence, prays for bail.



4.The learned Additional Public Prosecutor submit at though the petitioner is not having any previous case at his credit, he had found in possession of banned tobacco products. Hence, prays to dismiss the petition.

5.Considering the facts and circumstances of the case, the readiness of the petitioner to file an affidavit that he will not indulge in any offence in future and also 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 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, Thirumangalam**, on further condition that the petitioner shall also file an undertaking affidavit before the trial Court that he will not indulge in any offence in future and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

17/07/2023

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17/07/2023

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

PNM

To

1.The Judicial Magistrate,
Thirumangalam.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
Thirumangalam PEW Police Station,
Madurai District.

4.The Officer Incharge,
Sub Jail,
Thirumangalam.

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



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CRL OP(MD). N



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+1 CC to M/s.G.R.SATHISH, Advocate (SR-10824[I] dated 17/07/2023)

ORDER

IN

CRL OP (MD) No.12962 of 2023

Date :17/07/2023

ED/AKM/SAR- (17/07/2023) 3P 7C