



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.12969 of 2023**

Rajalingam

... Petitioner / Accused No.1

Vs

The State represented by  
The Inspector of Police,  
Viralimalai Police Station,  
Pudukottai District.  
(Crime No.199 of 2023).

... Respondent / Complainant

For Petitioner : M/s.Santhanam Rajesh Kumar.B, 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.199 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused herein, who was arrested on 16.06.2023 for the alleged offence under Sections 273, 328 r/w Sections 7, 20(1) of Cigarette and other Tobacco Products Act, 2003, in Crime No.199 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 16.06.2023, the accused persons were found in illegal possession of banned tobacco products weighing 303 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 the petitioner is having two previous cases, which are not similar in nature and 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 **District Munsif cum Judicial Magistrate, Illuppur, Pudukottai**, 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

/ TRUE COPY /

17/07/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

PNM

To

1.The District Munsif cum Judicial Magistrate,  
Illuppur, Pudukottai District.

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

3.The Inspector of Police,  
Viralimalai Police Station,  
Pudukottai District.

4.The Officer Incharge,  
District Prison,  
Pudukkottai, Pudukkottai District.



CRL OP(MD). N



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

+1CC to M/s.B.SANTHANAM RAJESH KUMAR, Advocate SR-10839(I), dated  
18.07.2023.

WEB COPY

ORDER

IN

CRL OP(MD) No.12969 of 2023

Date :17/07/2023

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