



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

Date : 18/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13019 of 2023

WEB COPY

Deva Asirvatham

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District
(Crime No.135 of 2023).

... Respondent/Complainant

For Petitioner : Mr.M.Gnanagurunathan, 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.135 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

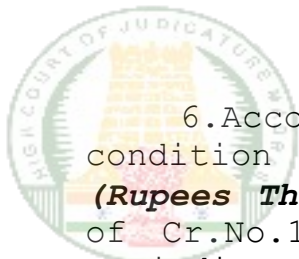
The petitioner/Sole Accused herein, who was arrested on 30.06.2023 for the alleged offence under Section 328 IPC and Section 24(1) of Cigarette and other Tobacco Products Act, 2003, in Crime No.135 of 2023, on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that on 30.06.2023, the accused person was found in illegal possession of banned tobacco products worth about Rs.3,750/-. 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.

4.The learned Additional Public Prosecutor submitted that the petitioner is having no previous cases at his credit. Considering the nature of offence, prays to dismiss the petition.

5.Considering the facts and circumstances of the case, 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. 3,750/- (Rupees Three Thousand Seven Hundred and Fifty only)** to the credit of Cr.No.135 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, Thiruchuli**, 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. If any case is registered against the petitioner in future, the bail that has been granted in this case, will stand automatically cancelled without reference to this Court.

sd/-

18/07/2023

/ TRUE COPY /

18/07/2023

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

Indu

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUCHULI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE, THIRUCHULI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE OFFICER INCHARGE, SUB JAIL, ARUPPUKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

+1 CC to M/s.M.GNANAGURUNATHAN, Advocate (SR-10867[I] dated
18/07/2023)

ORDER

IN

CRL OP(MD) No.13019 of 2023

Date :18/07/2023

RS/VR/SAR-(18.07.2023) 2P 8C