



CRL OP(MD). No.13058 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/07/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13058 of 2023

Siva

... Petitioner/Sole Accused

Vs.

State through

The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
In Crime No.252 of 2023.

... Respondent/Complainant

For Petitioners : Mr.PRATHEESH.P
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.252 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested on 02.07.2023 for the alleged offence under Sections 6(b), 24(1) of Cigarette and other Tobacco Products Act, 2003 and Section 328 of IPC, in Crime No.252 of 2023 on the file of the respondent Police, seeks bail.

2. The prosecution case is that on information, the defacto complainant went



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and searched the petty shop, which is run by the petitioner, at that time, they found that the banned tobacco products were inside the petty shop and that were also seized by the respondent Police. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 02.07.2023. Due to statistical purpose only, the false case has been foisted against the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioner is having seven previous cases, which are similar in nature and for most of the cases, he paid the fine amount.

5.Considering the facts and circumstances of this case and considering the period of incarceration, this Court is inclined to grant bail to the petitioner only with certain 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 No.II, Sivakasi, 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



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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/-
25/07/2023

/ TRUE COPY /

25/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO

1 THE JUDICIAL MAGISTRATE NO.II,SIVAKASI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE OFFICER INCHARGE,DISTRICT PRISON, VIRUDHUNAGAR.

4 THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION, VIRUDHUNAGAR DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.13058 of 2023
Date :25/07/2023

SA/SAR. /25.07.2023/3P/6C
Madurai Bench of Madras High Court is issuing
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