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

Date : 01/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13981 of 2023

Vignesh

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Ponnamaravathi Police Station,
Pudukottai District.
Crime No.131/2023..

... Respondent/Complainant

For Petitioner : M/s.Arul Jenifer.A,
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.131/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused herein, who was arrested on 23.07.2023 for the alleged offence under Sections 273, 328 of IPC, r/w 6(a), 7, 20(1) COTPA Act, 2003 r/w 77 of

JJ (Care of Protection of Children) Act, 2015, in Crime No.131 of 2023, on the file of

the respondent police, seeks bail.



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2.The case of the prosecution is that the petitioner sold the banned tobacco products to the school going students. 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 also ready to file an undertaking that he will not commit any similar offence in future. The petitioner is in custody from 23.07.2023. Hence, prays for bail.

4.The learned Additional Public Prosecutor (Crl.Side) submitted that the petitioner is having two previous cases, out of which one case was disposed of and the petitioner was convicted and he has also paid the fine amount. He further submitted that the petitioner has sold the banned tobacco products to the public and school going students. 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 Court, Ponnamaravathi, 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

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before the respondent police daily at 10.30 a.m. until further orders.

sd/-

01/08/2023

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01/08/2023

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

TTA

TO

1 THE JUDICIAL MAGISTRATE, PONNAMARAVATHI.

2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.

4 THE INSPECTOR OF POLICE
PONNAMARAVATHI POLICE STATION,
PUDUKOTTAI DISTRICT.

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

+1 CC to M/s.A.ARUL JENIFER, Advocate (SR-11588[I] dated 01/08/2023)

ORDER

IN

CRL OP(MD) No.13981 of 2023

Date :01/08/2023

SS/VRS/01/08/2023/3P/7C