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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/08./2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14018 of 2023

1.Muthuselvam

2.S.Muthukrishnan

... Petitioners/ Accused rank not known
(The petitioners name does not
find place in the F.I.R)

Vs

The State, represented by
The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
Crime No.288 of 2023.

... Respondent/Complainant

For Petitioner : Mr.M.Jothi Basu,,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.288/2023 on the file of the Respondent
police.

ORDER : The Court made the following order :-



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The petitioners/Accused rank not known, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 77 of Juvenile Justice (Care and Protection of Children) act, 2015 and 6(b), 24(1) of Cigarette and other Tobacco Products Act, 2003, in Crime No.288 of 2023 on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that when the defacto complainant and their committee members were clearing the traffic outside the school, he first accused was found in illegal possession prohibited tobacco products. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. Only on the confession statement of the first accused, this petitioner has been implicated.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioners are not involved in similar kind of offences.

5. Considering the nature of offence and there is no previous case pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.II, Sivakasi, on condition that the petitioners shall



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execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent Police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
09/08/2023

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/08/2023
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 SUB INSPCTOR OF POLICE
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.



4

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

+1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-12036[I] dated 09/08/2023)

ORDER
IN
CRL OP(MD) No.14018 of 2023
Date :09/08/2023

SS/VR/18/08/2023/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023