



CRL OP(MD). No.14554 of 2023

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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.14554 of 2023

1. Anantharaj,

2. Ganeshwari,

... Petitioners/ Accused 1 & 2

Vs

The State rep.by
The Sub Inspector of Police,
Soolakarai Police Station,
Virudhunagar District,
Crime No.122/2023.

... Respondent/ Complainant

For petitioners: M/s.MAYA PERUMAL.S,
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.122 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused No.1 & 2 herein, who were arrested on 14.07.2023 for the alleged offence under Sections 328 of IPC and 6(b) of Cigarette and other TOBACCO products Act, 2003, in Crime No.122 of 2023, on the file of the respondent police, seek bail.



CRL OP(MD). No.14554 of 2023

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2.The case of the prosecution is that while the respondent police conducted picketing duty, they found the petitioners with 265 grams of banned Tobacco Products worth about Rs.546/-. Hence, the case.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. However, the petitioners are ready to file an affidavit to the effect that they will not indulge in such activities in future.

4.The learned Additional Public Prosecutor submitted that on similar occasion, the petitioners is having 9 kg. of banned tobacco products.

5.Considering the facts and circumstances of the case, the readiness of the petitioners to file an affidavit that they will not indulge in any offence in future and also considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with stringent conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing personal 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 Judicial Magistrate No.II, Virudhunagar, on condition that the petitioners shall file an undertaking affidavit before the trial Court that they will not indulge in any offence in future and on further condition that the petitioners



CRL OP(MD). No.14554 of 2023

shall report before the respondent police daily at 10.30 a.m. until further orders. If any case is registered against the petitioners in future, the bail that has been granted in this case, will stand automatically cancelled without reference to this Court.

sd/-
09/08/2023

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09/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM
TO

1 THE JUDICIAL MAGISTRATE NO.II,
VIRUDHUNAGAR.

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

3 THE OFFICER INCHARGE,
DISTRICT PRISON, VIRUDHUNAGAR.

4 THE OFFICER INCHARGE,
SUB JAIL, PARAMAKUDI.

5 THE SUB INSPECTOR OF POLICE,
SOOLAKARAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.S.MAYA PERUMAL, Advocate (SR-12014[I] dated 09/08/2023)
<https://www.mhc.tn.gov.in/judis>



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CRL OP(MD). No.14554 of 2023

ORDER
IN
CRL OP(MD) No.14554 of 2023
Date :09/08/2023

SA/SAR. /09.08.2023/4P/8C

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