



CRL OP(MD). No.14865 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14865 of 2023

Thangamarimuthu,

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Thalavaipuram Police Station,
Virudhunagar District,
Crime No.168/2023.

... Respondent/Complainant

For Petitioner : M/s.Suriyakumar.M,
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.168 of 2023 on the file of the respondent police



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ORDER : The Court made the following order :-

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The petitioner/ Accused herein, who was arrested on 20.07.2023 for the alleged offence under Sections 6(b), 24(1) of Cigarette and Other Tobacco Products Act, 2003, in Crime No.168 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 20.07.2023, the accused was found in illegal possession of 22 pockets of banned Tobacco pockets. 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. He further submitted that the petitioner is in custody from 20.07.2023. Hence, prays for bail.

4.The learned Additional Public Prosecutor (Crl.Side) appearing for the respondent police submitted that the petitioner is having one previous case. However, the petitioner has illegally found in possession of 22 pockets of banned Tobacco products. Hence, prays to dismiss the petition.



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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 No.I, Srivilliputhur, and on further conditions that

(i) the petitioner shall also file an undertaking affidavit before the trial Court that he will not indulge in any offence in future.

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

(iii) the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Account Number (A/c.No.7567821433, Indian Bank, High Court Branch Madurai (2001), IFSC Code:IDIB000H040) opened by the Registrar



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Judicial, Madurai Bench of Madras High Court, Madurai, for donating law books in the name of "Madurai Bench of Madras High Court" in Kalaingar Centenary Library, Madurai, without prejudice to his rights and contentions before the trial Court.

sd/-
16/08/2023

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16/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. THE JUDICIAL MAGISTRATE NO. I, SRIVILLIPUTHUR,
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
3. THE INSPECTOR OF POLICE,
THALAVAIPURAM POLICE STATION,
VIRUDHUNAGAR DISTRICT,
4. THE OFFICER IN CHARGE,
SUB JAIL,
SRIVILLIPUTHUR.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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1.THE REGISTRAR(JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2 THE OFFICER IN CHARGE,
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+1 CC to M/s.M.SURIYA KUMAR, Advocate (SR-12312[I] dated 16/08/2023)

ORDER
IN
CRL OP(MD) No.14865 of 2023
Date :16/08/2023

RK (16/08/2023) 5P / 9C

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