



CRL OP(MD). No.14988 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14988 of 2023

Thangaraj

... Petitioner/ Accused No.2

Vs

**The State, represented by
The Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.
(Crime No.91 of 2023).**

... Respondent

For Petitioner : Mr.Micheal Sebastin, 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.91 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, who apprehends arrest at the hands of the respondent Police for the offences punishable under section 328 I.P.C. And Section 6

<https://www.nhc.tn.gov.in/judis>



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(b) and 24(1) of Cigarette and other Tobacco Products Act, in Crime No.91 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that when the respondent Police and his team were on their routine vehicle check up, they checked a van and found banned tobacco and pan masala package, which was illegally transported by the accused persons. At that time, they gave confession statement that the above said banned tobacco products are transported for selling the same at the petitioner's shop. Hence the case.

3. The learned counsel for the petitioner would submit that this petitioner is the owner of the vehicle and is no way involved in this offence.

4. Report has been called for from the trial Court as to whether any amount is deposited by the first accused in pursuance of the order passed in Cr.M.P.No.3600 of 2023. There is no indication of amount of deposit. But the learned counsel for the petitioner produced the receipt showing the deposit of amount by the first accused.

5. The learned Government Advocate (Crl.Side) would submit that no previous case is pending against the petitioner in similar nature.

6. In view of the deposit made by the first accused, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is allowed and petitioner is



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ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.I, Srivilliputhur, Virudhunagar District, on condition that the petitioner shall execute a 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 Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner 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/-
05/09/2023

/ TRUE COPY /

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

INDU

TO

1 THE JUDICIAL MAGISTRATE NO.I
SRIVILLIPUTHUR.



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

3 THE INSPECTOR OF POLICE
NATHAMPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.B.MICHEAL SEBASTIN, Advocate (SR-13251[I] dated 05/09/2023)

ORDER
IN
CRL OP(MD) No.14988 of 2023
Date :05/09/2023

PKP/VRS/SAR- /15.09.2023/ 4P/ 6C

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