



CRL OP(MD). No.15297 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15297 of 2023

Subbaiah

... Petitioner/ Accused No.1

Vs

The State rep.by,
The Inspector of Police,
Vanniyampatti Police Station,
Virudhunagar District.
Crime No.136/2023..

... Respondent/Complainant

For Petitioner : M/s.Jeyaprakash.C,
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.136 of 2023 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/Accused No.1 herein, who was arrested on 01.08.2023 for the alleged offence under Sections 328 of IPC r/w. 24(1) of Cigarette and other Tobacco Products Act, 2003, in Crime No.136 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is having possession of banned tobacco products totally weighing about 2.742 kgs.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. However, to show his bona fide, the petitioner has come forward to deposit a sum of Rs.5,000/- (Rupees Five Thousand only).

4. The learned Additional Public Prosecutor for the respondent police submitted that the petitioner is having banned tobacco products totally weighing about 2.742 kgs. worth about Rs.2,760/-. He further submitted that there is no previous case pending against the petitioner herein.



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5. Considering the antecedents of the petitioner and his willingness to pay a sum of Rs.5,000/- (Rupees Five Thousand only) this Court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of Rs.5,000/- (Rupees Five 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 Judicial, Madurai Bench of Madras High Court, Madurai, for donating law books in the name of "Madurai Bench of Madras High Court" in Kalaignar Centenary Library, Madurai, without prejudice to his rights and contentions before the trial Court

7. On such deposit being made, 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.II, Srivilliputhur, Virudhunagar District and on further conditions that the petitioner shall file an undertaking affidavit before the trial Court that they will not indulge in any offence in future and the petitioner shall report before the



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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/-
23/08/2023

/ TRUE COPY /

24/08/2023

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

tm

TO

1. THE JUDICIAL MAGISTRATE NO.II, SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
3. THE OFFICER IN CHARGE,
SUB JAIL, SRIVILLIPUTHUR.
4. THE INSPECTOR OF POLICE,
VANNIYAMPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT. CRIME NO.136/2023..
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

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

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2 THE OFFICER IN CHARGE,
KALAINAR CENTENARY LIBRARY, MADURAI.

+1 CC to M/s.C.JEYA PRAKASH, Advocate (SR-12639[I] dated 23/08/2023)

ORDER
IN
CRL OP(MD) No.15297 of 2023
Date :23/08/2023

RK (24/08/2023) 5P / 9C

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