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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 12/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16400 of 2023

Gunasekaran

... Petitioner/ Accused No.2

Vs

The State, through
The Inspector of Police,
Thuvakudi Police Station,
Trichy District.
(Crime No.177 of 2023).

... Respondent/Complainant

For Petitioner : Mr.A.Arun Prasad,
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.177 of 2023 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/2nd Accused herein, who was arrested on 20.08.2023 for the alleged offence under Sections 6 and 24(1) of Cigarette and other Tobacco Products Act, 2003 and Section 273 & 328 IPC, in Crime No.177 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on secret information the respondent Police



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has conducted raid in a shop, at that time, the petitioner and other accused were in possession of banned tobacco products worth about Rs.16,500/- and on information, they went to the house of the first accused and seized 387 Kgs of banned tobacco products. Hence, the case.

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.

4. The learned Additional Public Prosecutor for the respondent police submitted that the petitioner is having no previous case at his credit. The total worth of tobacco products, which were seized from the first accused' house is more than Rs.4,00,000/-

5. Considering the facts and circumstances of this case and also considering the antecedents of the petitioner, 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.90,000/- (**Rupees Ninety Thousand only**) to the credit of Cr.No.177 of 2023 before the trial Court concerned. Further, 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 Judicial, Madurai Bench of Madras High Court, Madurai, for donating law books in the name of "Madurai



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

sd/-
12/09/2023

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12/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

1 THE JUDICIAL MAGISTRATE NO.VI,
TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TRICHY.



4

3 THE INSPECTOR OF POLICE
THUVAKUDI POLICE STATION,
TRICHY DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

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

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MADURAI.

ORDER
IN

CRL OP(MD) No.16400 of 2023

Date :12/09/2023

SS/12/09/2023/4P/8C

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