



CRL OP(MD). No.16538 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16538 of 2023

V.Dalaram

... Petitioner/ Accused No.2

Vs

State Rep.by
The Inspector of Police,
Amathur Police Station,
Virudhunagar District.
Crime No.147 of 2023.

... Respondent/Complainant

For Petitioner : M/s.Manimaran NA., 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.147 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.2 herein, who was arrested on 22.08.2023 and remanded on 28.08.2023, for the alleged offence under Sections 24(1) & 6(B) of Cigarette and other Tobacco Products Act, 2003, and Section 328 of IPC, in Crime



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No.147 of 2023, on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the petitioner is having possession of banned tobacco products.

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. He would further submitted that the 53 kgs. of banned tobacco products, worth about Rs.41,000/-, have been recovered from the first accused.

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



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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, Virudhunagar 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/-

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13/09/2023

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

TM

TO

1 THE JUDICIAL MAGISTRATE NO.II, VIRUDHUNAGAR DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

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



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3 THE OFFICER INCHARGE, DISTRICT PRISON, VIRUDHUNAGAR DISTRICT.

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4 THE INSPECTOR OF POLICE, AMATHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

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+1 CC to M/s.NA.MANIMARAN, Advocate (SR-13614[I] dated 13/09/2023)

ORDER
IN

CRL OP(MD) No.16538 of 2023

Date :13/09/2023

RS//SAR-(13.09.2023) 4P 9C

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