



CRL OP(MD). No.16467 of 2023

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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.16467 of 2023

Amutha

... Petitioner/1st Accused

Vs

**The State, through
The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
(Crime No.342 of 2023).**

... Respondent/Complainant

**For Petitioner : Mr.Sivakumar Rajappan, Advocate
for Ms.Law Shine.**

**For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor.**

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.342 of 2023 on the file of the Respondent Police



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ORDER : The Court made the following order :-

The petitioner/1st Accused herein, who was arrested on 23.08.2023 for the alleged offence under Sections 328 IPC r/w. 6(b) and 24(1) of Cigarette and other Tobacco Products Act, 2003, in Crime No.342 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 23.08.2023 when the respondent Police were engaged in vehicle patrolling at Sivakasi East Colony, they found that the petitioner is selling the 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 banned tobacco products, which were seized from this petitioner is Rs.16,200/-

5. The learned counsel for the petitioner would further submit that to show his

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bona fide, the petitioner has come forward to deposit a sum of Rs.16,200/- (Rupees Sixteen Thousand and Two Hundred only).

6. Considering the antecedents of the petitioner and his willingness to pay a sum of Rs.16,200/- (Rupees Sixteen Thousand and Two Hundred only) this Court is inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of Rs.11,200/- (Rupees Eleven Thousand and Two Hundred only) to the credit of Cr.No.342 of 2023 before the trial Court concerned. Further, 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 Kalaigarn Centenary Library, Madurai, without prejudice to his rights and contentions before the trial Court.

8. 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



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Magistrate No.II, Sivakasi 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

(*)AMENDED AS PER ORDER OF THIS COURT
DATED 20.09.2023 IN CRL MP(MD)NO.13466 OF 2023
IN CRL OP(MD)NO.16467 OF 2023 BY GIJ

/ TRUE COPY /

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

INDU
TO

TO BE SUBSTITUTED WITH THE ORDER DATED 12/09/2023 ALREADY DESPATCHED

1 THE JUDICIAL MAGISTRATE NO.II,
SIVAKASI

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

3 THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE, SRIVILLIPUTHUR.



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- 4 THE INSPECTOR OF POLICE
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 5 THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

- 1 THE REGISTRAR(JUDICIAL)
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 2 THE OFFICER INCHARGE,
KALAIAGNAR CENTENARY LIBRARY,
MADURAI.

+1 CC to M/s.R.SIVAKUMAR RAJAPPAN, Advocate (SR-13490[I] dated 12/09/2023)

ORDER
IN
CRL OP(MD) No.16467 of 2023
Date :12/09/2023

SS/13/09/2023/5P/8C

TM
PKP/SAR- /20.09.2023/ 5P/10C
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