



CRL OP(MD). No.16635 of 2023

WEB COPY

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

Date : 14/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.16635 of 2023

1. Murugan
2. Mahendran
3. Natarajan

... Petitioners/ Accused Nos.1 to 3

Vs

The State rep.by,
The Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar District.
Crime No.284 of 2023

... Respondent/Complainant

For Petitioner : M/s.Alexander J, 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.284 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners / Accused herein, who was arrested on 22.08.2023 for the alleged offence under Sections 328 of IPC, 1860 and Sections 6(b) and 24(1) of Cigarette and other Tobacco Products Acts, 2003 in Crime No.284 of 2023, on the file of the respondent police, seek bail.



CRL OP(MD). No.16635 of 2023

WEB COPY

2. The case of the prosecution as per the defacto complainant version is that on 22.08.2023 at about 08.00 a.m., when the respondent police were in vehicle check up near Rajapalayam Thendran Nagar, found the petitioners with illegal possession of totally 7.785kgs of banned Tobacco products in a two wheeler. On the basis of the occurrence, they recovered the properties and registered the present case. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocents, they have not committed any offence as alleged by the prosecution. They have been falsely implicated in this case. Hence, they seek for the relief of bail.

4. The learned Additional Public Prosecutor would submit that the petitioners were in illegal possession of nearly 7 kgs of banned Tobacco products worth about Rs.5,160/- and the petitioners / accused Nos.1 and 2 are not having any previous cases.

5. Considering the period of incarceration and also the quantity of the contraband, this Court is inclined to grant relief to the petitioners.



CRL OP(MD). No.16635 of 2023

WEB COPY

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are 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, Rajapalayam, Virudhunagar District and the petitioners are directed to file an undertaking affidavit before the trial Court that they will not indulge themselves in such offences in future and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
14/09/2023

/ TRUE COPY /

14/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

TO

1. The Judicial Magistrate, Rajapalayam,
Virudhuangar District.
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District @ srivilliputtur.
3. The Officer in charge, Virudhunagr District Jail, Virudhunagar.



CRL OP(MD). No.16635 of 2023

4.The Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.J.ALEXANDER, Advocate (SR-13644[I] dated 14/09/2023)

ORDER
IN
CRL OP(MD) No.16635 of 2023
Date :14/09/2023

RK (14/09/2023) 4P / 7C

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