



CRL OP(MD). No.16692 of 2023

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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.16692 of 2023

Vinayagamoorthi

... Petitioner / Accused

Vs

State rep by
The Sub Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar District.
(In Crime No.276 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.Suriyakumar.M, 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.276 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused herein, who was arrested on 15.08.2023 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.276 of 2023, on the file of the



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respondent police, seek bail.

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2. The case of the prosecution as per the defacto complainant version is that on 15.08.2023 at about 09.30 a.m., when the respondent police were in vehicle check up near the Rajapalayam to Srivilliputhur Road, the petitioner was found in illegal possession of 2.268 kgs of banned Tobacco products in a two wheeler. On the basis of the occurrence, the respondent recovered the properties and registered the present case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent, he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. Hence, he seeks for the relief of bail.

4. The learned Additional Public Prosecutor would submit that the petitioners were in illegal possession of nearly 2 kgs of banned Tobacco products and the petitioner is having two previous cases.

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

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a 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 and the petitioner is directed to file an



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undertaking affidavit before the trial Court that he will not indulge in such offences in future and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
14/09/2023

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

PNN

To

- 1.The Judicial Magistrate,
Rajapalayam.
- 2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.
- 3.The Sub-Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar District.
- 4.The Officer incharge,
District Jail,
Srivilliputhur.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.SURIYA KUMAR, Advocate (SR-13668[I] dated 14/09/2023)



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ORDER

IN

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Date :14/09/2023

ED/ /SAR- (14/09/2023) 4P / 7C

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