



CRL OP(MD). No.16837 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16837 of 2023

1.Kumar

... Petitioner/ Accused 1

2.Manoharan

... Petitioner/ Accused 2

Vs

**The State, through
The Inspector of Police,
Ammapatti Police Station,
Virudhunagar District.
(Crime No.40 of 2023).**

... Respondent/ Complainant

For Petitioner : Mr.R.J.KARTHICK, 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.40 of 2023 on the file of the Respondent Police

ORDER : The Court made the following order :-

**The petitioners/ Accused Nos.1 and 2 herein, who were arrested on 03.09.2023
for the alleged offence under Sections 328 IPC and Section 24(1) of Cigarette and
other Tobacco Products Act, 2003, in Crime No.40 of 2023, on the file of the**



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respondent police, seeks bail.

2.The case of the prosecution is that on 03.09.2023 when the respondent was on patrol duty, the petitioners were found in possession of banned tobacco products worth about Rs.1,26,576/- in the vehicle bearing registration No.TN 65 AQ 5287 and TN 72 AE 7814 and he same was seized. Hence, the case.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution.

4. The learned Additional Public Prosecutor for the respondent police submitted that the first petitioner is having no previous case and the second petitioner is having one previous case, which is not in similar nature. The total worth of tobacco products, which were seized from the accused is Rs.1,26,576/-.

5. Considering the facts and circumstances of this case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) jointly to the credit of Cr.No.40 of 2023 before the trial Court concerned. Further, the petitioners shall deposit a sum of Rs.26,576/- (Rupees Twenty Six Thousand and Five Hundred and Seventy Six only) jointly to the credit of the Account Number

(A/c.No.7567821433, Indian Bank, High Court Branch Madurai (2001), IFSC

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7. On such deposit being made, 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) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Sattur, and the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
15/09/2023

(*)AMENDED AS PER ORDER OF THIS COURT
DATED 25.09.2023 IN CRL OP(MD)No. 16837 of 2023
/ TRUE COPY /

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

INDU
TO
1 THE JUDICIAL MAGISTRATE COURT NO.2, SATTUR.

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

(*)3 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR



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4 THE OFFICER INCHARGE
SUB JAIL, SRIVILLIPUTHUR

5 THE INSPECTOR OF POLICE,
AMMAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

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ORDER
IN

CRL OP(MD) No.16837 of 2023
Date :15/09/2023

SA/SAR. /15.09.2023/4P/8C

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