



WEB COPY

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.16776 of 2023

K.Ganesan

... Petitioner/ Accused No.1

Vs.

The State represented by  
The Inspector of Police,  
Amathur Police Station,  
Virudhunagar District.  
Crime No.148 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.N.Marimuthu, 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.148 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.1, who was arrested on 23.08.2023 for the

alleged offence under Section 328 IPC r/w. Sections 6(b), 24(1) of Cigarette and other



Tobacco Products Act, 2003, in Crime No.148 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on secret information regarding banned tobacco products, the respondent Police went to O.Sankaralingampuram to Kattnarpathi road on 23.08.2023 at about 12.00 p.m., at that time, the petitioner was found in illegal possession of banned tobacco products in the gunny bag and the same was seized by the respondent Police. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he never committed any such offences as alleged by the prosecution. The petitioner is in custody from 23.08.2023. Hence, prays to release him on bail.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is no previous case pending against the petitioner.

5. Considering the nature of offence and also considering that there is no previous case pending against and the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and 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) each with two sureties each for a like sum to the satisfaction of the learned *Judicial Magistrate No.II, Virudhunagar*, and on further



condition that the petitioner shall report before the respondent police daily at 10.30

WEB COPY

a.m. until further orders.

sd/-

15/09/2023

/ TRUE COPY /

15/09/2023

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

INDU  
TO

- 1 THE JUDICIAL MAGISTRATE NO.II  
VIRUDHUNAGAR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE  
AMATHUR POLICE STATION,  
VIRUDHUNAGAR DISTRICT.
- 4 THE OFFICER INCHARGE,  
DISTRICT JAIL, VIRUDHUNAGAR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN

CRL OP(MD) No.16776 of 2023

Date :15/09/2023

SS/15/09/2023/3P/6C