



CRL OP(MD). No.16858 of 2023

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

Date : 19/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16858 of 2023

Prakash

... Petitioner / Sole Accused

Vs

The State of Tamilnadu,
represented by its
Inspector of Police,
Kumbakonam West Police Station,
Thanjavur District.
(Crime No. 457 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.Boomee Rajan.PR, 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. 457 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Sole Accused herein, who was arrested on 31.08.2023 for the alleged offence under Sections 328 of IPC r/w 20(2), 24(1) of COPTA Act, 2003 in Crime No.457 of 2023, on the file of the respondent police, seeks bail.



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2. The case of the prosecution as per the complainant is that on 31.08.2023 at about 4.30 p.m., when the respondent police went to the place of occurrence for checking, on the basis of the secret information received, they found the petitioner in illegal custody of banned Tobacco products weighing 45 Kgs without proper licence. On enquiry, the respondent police seized totally 505 kgs of tobacco products from a Godown. Hence the contraband was seized and the petitioner was arrested on the spot. Based on the incident, the present case came to be registered.

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

4. The learned Additional Public Prosecutor would submit that the petitioner was in illegal possession of banned Tobacco products weighting totally 505 kgs worth Rs.50,000/-.

5. Considering the facts and circumstances of this case and also considering the period of incarceration, 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 No.1, Kumbakonam, Thanjavur District, and the



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petitioner shall file an undertaking affidavit before the trial Court that he will not indulge in any kind of offence 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/-
19/09/2023

/ TRUE COPY /

19/09//2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

To

- 1.The Judicial Magistrate No.I,
Kumbakonam,
Thanjavur District.
- 2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.
- 3.The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur District.
- 4.The Officer Incharge,
Sub Jail,
Thiruvidadaimaruthur.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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ORDER

IN

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Date :19/09/2023

ED/ /SAR- (19/09/2023) 4P / 6C

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