



WEB COPY

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.16863 of 2023

Sivanmoorthy,

... Petitioner/Sole Accused

Vs

The State rep. by
The Inspector of Police,
Mamsapuram Police Station,
Virudhunagar District.
(Crime No.304 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Anantha Murugan.S.M,
Advocate.

For Respondent : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime no.304 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 328 of IPC r/w 6(b) & 24(1)



of Cigarette and other Tobacco Products Acts 2003, in Crime No.304 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is having possession of banned tobacco products.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. However, to show his bona fide, the petitioner has come forward to deposit the amount imposed by this Court.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner is having possession of totally 57 pockets banned tobacco products.

5. Considering the antecedents of the petitioner and his willingness to deposit the amount, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Account Number (A/c.No.7567821433, Indian Bank, High Court Branch Madurai (2001), IFSC Code:IDIB000H040) opened by the Registrar Judicial, Madurai Bench of Madras High Court, Madurai, for donating law books in the name of "Madurai Bench of Madras High Court" in Kalaignar Centenary Library,

Madurai, without prejudice to his rights and contentions before the trial Court

<https://www.mhc.tn.gov.in/judis>



WEB COPY

7. On such deposit being made, petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District, on condition that the petitioner shall execute 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 Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
19/09/2023

/ TRUE COPY /

/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Tm
TO

1. The Judicial Magistrate No.II, Srivilliputhur,
Virudhunagar District.



2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District at Srivilliputhur.

3. The Inspector of Police,
Mamsapuram Police Station,
Virudhunagar District.

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

+1 CC to M/s.S.M.ANANTHA MURUGAN, Advocate (SR-13826[I] dated
19/09/2023)

Copy To

1 The Registrar Judicial,
Madurai Bench of Madras High Court, Madurai.

2 The Officer Incharge
Kalaighnar Centenary Library, Madurai.

ORDER
IN
CRL OP(MD) No.16863 of 2023
Date :19/09/2023

SSA/VRS/03.10.2023/4P/8C

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