



CRL OP(MD). No.16897 of 2023

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.16897 of 2023

1. Ashok Kumar

2. Priya @ Guruvammal

... Petitioners/ Accused No.1 & 3

Vs

The State represented by
The Inspector of Police,
Sivakasi East Police Station,
Viruthunagar District.
(Crime No.342 of 2023).

... Respondent/ Complainant

For petitioners : Mr.Sivakumar
Advocate for M/s.Law Shine

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.342 of 2023 on the file of the Respondent Police.



CRL OP(MD). No.16897 of 2023

WEB COPY

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 and 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 328 of IPC and 6(b) & 24(1) of Cigarette and other Tobacco Products Acts 2003, in Crime No.342 of 2023, on the file of the respondent police, seeks anticipatory bail.

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

3. The learned counsel for the petitioners submitted that the petitioners are an innocent person and they have not committed any offence as alleged by the prosecution. However, to show their *bona fide*, the petitioners have come forward to deposit the amount imposed by this Court.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioners are having possession of totally 30.5 Kgs. worth about Rs.16,200/- banned tobacco products.

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



CRL OP(MD). No.16897 of 2023

WEB COPY

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners 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 Kalaingar Centenary Library, Madurai, and further sum of **Rs.11,200/- (Rupees Eleven Thousand and Two Hundred only)** to the credit of **Crime No.342 of 2023** before the trial Court, without prejudice to his rights and contentions before the trial Court

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



CRL OP(MD). No.16897 of 2023

WEB COPY

8. The petitioners 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 /

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

JM
TO

1 THE JUDICIAL MAGISTRATE NO.II
SIVAKASI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE
SIVAKASI EAST POLICE STATION, VIRUTHUNAGAR DISTRICT.

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

COPY TO:

1 THE REGISTRAR(JUDICIAL)
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



CRL OP(MD). No.16897 of 2023

WEB COPY

2 THE OFFICER INCHARGE,
KALAINAR CENTENARY LIBRARY,
MADURAI.

+1 CC to M/s.R.SIVAKUMAR RAJAPPAN, Advocate (SR-13884[I] dated
20/09/2023)

ORDER
IN
CRL OP(MD) No.16897 of 2023
Date :19/09/2023

SS/GB/27/09/2023/5P/8C

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