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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16933 of 2023

1. Munirathinam

2. Munisamy

... Petitioners/ Accused No. 1&2

Vs

The State rep. by
The Inspector of Police,
Srivilliputhur Town Police Station,
Srivilliputhur,
Virudhunagar District.
Crime No.398 of 2023.

... Respondent/ Complainant

For petitioners : M/s.Sankara Pandian. J.

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.398 of 2023 on the file of the respondent police.



ORDER : The Court made the following order :-

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The petitioners/ Accused No.1 & 2 herein, who was arrested on 08.09.2023 for the alleged offence under Sections 328 of IPC and Section 6(b), 24(1) of Cigarette and other Tobacco Products Act, 2003, in Crime No.398 of 2023, on the file of the respondent police, seeks 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 a sum of Rs.5,000/- (Rupees Five Thousand only).

4. The learned Additional Public Prosecutor for the respondent police submitted that the petitioners are having banned tobacco products worth about Rs.3,330/-. He would further submitted that the petitioners are having no previous case.



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5. Considering the antecedents of the petitioners and their willingness to pay a sum of Rs.5,000/- (Rupees Five Thousand only) this Court is inclined to grant bail to the petitioner.

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 Kalaignar Centenary Library, Madurai, without prejudice to their rights and contentions before the trial Court

7. On such deposit being made, the petitioners is ordered to be released on bail, on executing a personal 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.II, Srivilliputhur and on further conditions that the petitioners shall file an undertaking affidavit before the trial Court that they will not indulge in any offence in future and the petitioners shall report before the respondent police daily at

10.30 a.m. until further orders. If any case is registered against the petitioners in

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



future, the bail that has been granted in this case, will stand automatically cancelled without reference to this Court.

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sd/-
20/09/2023

20/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. The Judicial Magistrate No.II,
Srivilliputhur,
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District at Srivilliputhur.
3. The Officer Incharge,
Sub Jail, Srivilliputhur,
Virudhunagar District.
4. The Inspector of Police,
Srivilliputhur Town Police Station,
Srivilliputhur,
Virudhunagar District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to

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



2 The Officer Incharge
Kalaighnar Centenary Library, Madurai.

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ORDER
IN
CRL OP(MD) No.16933 of 2023
Date :20/09/2023

SSA/20.09.2023/5P/8C

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