



CRL OP(MD). No.17116 of 2023

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

Date : 22/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17116 of 2023

Pandiarajan

... Petitioner/ Accused No.1

Vs

The State rep.by,
The Inspector of Police,
Aamathur Police Station,
Virudhunagar District.
Crime No. 147/2023.

... Respondent/ Complainant

For Petitioner : M/s.Karthikeyan.S,
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. 147 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 20.08.2023 for the alleged offence under Sections 328 of IPC and Sections 24(1) and 6(b) of Cigarette and other Tobacco Products Act, 2003 in Crime No.147 of 2023, on the file of the



CRL OP(MD). No.17116 of 2023

respondent police, seeks bail.

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2. The case of the prosecution is that on 20.08.2023, when the respondent police were conducting check up near Vellore Junction, Virudhunagar Taluk, they found the petitioner coming in a two wheeler and on suspicion they stopped the vehicle and made a search. In that search, it was found that the petitioner in illegal possession of 53 kgs of banned Tobacco products worth about Rs.41,000/- to be sold to the public. Hence the complaint.

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. He has been falsely implicated in this case. Hence, he seeks for the relief of bail.

4. The learned Additional Public Prosecutor would submit that the petitioner and another accused were in illegal custody of banned tobacco products weighing 53 kgs. The petitioner is having one previous case in similar nature. The co-accused has been released on bail.

5. Considering the facts and circumstances of this case and also considering the

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CRL OP(MD). No.17116 of 2023

period of incarceration underwent by the petitioner, 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.II, Virudhunagar, and the 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/-
22/09/2023

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22/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pnn

TO

1. The Judicial Magistrate No.II, Virudhunagar.
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District @ srivilliputhur.



CRL OP(MD). No.17116 of 2023

3. The officer in charge, Sub Jail, Virudhunagar.

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4. The Inspector of Police,
Aamathur Police Station,
Virudhunagar District.

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

+1 CC to M/s.S.KARTHIKEYAN, Advocate (SR-14003[I] dated 22/09/2023)

ORDER
IN
CRL OP(MD) No.17116 of 2023
Date :22/09/2023

RK (22/09/2023) 4P /7 C

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