



CRL OP(MD). No.17063 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17063 of 2023

Shenbagarajan,

... Petitioner/ Accused No.3

Vs

**State Rep.by
The Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.
Crime No. 91 of 2023.**

... Respondent/Complainant

For Petitioner : M/s.Anto Prince.G,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. 91 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

**The petitioner/ Accused No.3 herein, who was arrested on 05.09.2023 for the
alleged offence under Section 328 of IPC and Sections 6 (b) r/w. 24(1) of Cigarette**

<https://www.mhctn.gov.in/judis>



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and other Tobacco Products Act, 2003, in Crime No.91 of 2023, on the file of the respondent police, seeks 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.

4. The learned Additional Public Prosecutor for the respondent police submitted that the petitioner is having banned tobacco products 307 kgs. banned tobacco products, worth about Rs.2,50,000/-, have been recovered from the accused persons.

5. Considering the antecedents of the petitioner and considering the period of incarceration, this Court is inclined to grant bail to the petitioner on stringent conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner 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.I, Srivilliputhur, Virudhunagar District and on

further conditions that

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(i) the petitioner shall file an undertaking affidavit before the trial Court that they will not indulge in any offence in future,

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

(iii) the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty 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, and further, Rs.75,000/- (Rupees Seventy Five Thousand only) to the credit of the Crime No.91 of 2023, before the concerned trial Court, without prejudice to his rights and contentions before the trial Court, within a period of fifteen days from the date of on his release on bail.



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7.If any case is registered against the petitioner in future, the bail that has been granted in this case, will stand automatically cancelled without reference to this Court.

sd/-
25/09/2023

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25/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM
TO

- 1 THE JUDICIAL MAGISTRATE NO.I
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
- 3 THE OFFICER INCHARGE
TENKASI PRISON, TENKASI DISTRICT.
- 4 THE INSPECTOR OF POLICE
NATHAMPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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COPY TO

- 1 THE REGISTRAR (JUDICIAL)
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
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KALAIAGNAR CENTENARY LIBRARY, MADURAI.

+1 CC to M/s.G.ANTO PRINCE, Advocate (SR-14098[I] dated 25/09/2023)

ORDER

IN

CRL OP(MD) No.17063 of 2023

Date :25/09/2023

PKP/SAR- /25.09.2023/ 5P/ 9C

Madurai Bench of Madras High Court is issuing certified
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