



CRL OP(MD). No.17125 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.17125 of 2023

Manivannan @ Mani

... Petitioner/ Accused No.1

Vs

The State rep.by,
The Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.
Crime No.117 of 2023.

... Respondent/ Complainant

For Petitioner : M/s.Gopinathan R,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.117 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.1 herein, who was arrested on 29.08.2023 for the alleged offence under Sections 328 of IPC and sections 6(b) and 24(1) of Cigarette and other Tobacco Products Act, 2003 in Crime No.117 of 2023, on the file of the respondent police, seeks bail.



CRL OP(MD). No.17125 of 2023

2. The case of the prosecution is that on 29.08.2023, when the respondent police were conducting check up near Azhagapuri check post, on suspicion, they stopped a car and made a search. In that search, it was found that the petitioner and another accused, in illegal possession of 151 kgs of banned Tobacco products worth about Rs.99,420/- 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 151 kgs. The petitioner is having one previous case in similar nature.

5. Considering the facts and circumstances of this case and also considering the period of incarceration underwent by the petitioner, this Court is inclined to grant relief to the petitioner.



CRL OP(MD). No.17125 of 2023

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6. Accordingly, this Criminal Original Petition is allowed and the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Crime No.117 of 2023 before the trial Court.

7. On such deposit, the petitioner is ordered to be released on bail, on executing 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 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

/ TRUE COPY /

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

PNN

TO

1. THE JUDICIAL MAGISTRATE NO.1,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.

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



CRL OP(MD). No.17125 of 2023

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

3. THE OFFICER IN CHARGE, SUB JAIL,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.

4. THE INSPECTOR OF POLICE,
NATHAMPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER
IN

CRL OP(MD) No.17125 of 2023

Date :22/09/2023

RK/(22/09/2023) 4P / 6C

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