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

Date : 26/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17304 of 2023

Manokaran

... Petitioner/3<sup>rd</sup> Accused

Vs.

The State represented by  
The Inspector of Police,  
Sivakasi Town Police Station,  
Virudhunagar District.  
Crime No.296 of 2023.

... Respondent/Complainant

For Petitioner : Mr.R.Chandrasekar, 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.296 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/3<sup>rd</sup> Accused, who was arrested on 28.08.2023 for the alleged offence under Section 328 IPC r/w. Sections 6(b), 24(1) of Cigarette and other Tobacco Products Act, 2003, in Crime No.296 of 2023, on the file of the respondent police,



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2. The case of the prosecution is that on 28.08.2023 at about 12.30 p.m., the respondent Police along with the Police party were on patrol duty, they intercepted one TVS Scooty vehicle bearing Registration Numer TN 84 Z 4903 at Sivakasi to Vilampatti road, near Thattavurani. When the respondent enquired the driver of the vehicle and another, they scolded the respondent police and tried to escape from the occurrence place, search was made, also found that 385 pockets of banned tobacco products in that vehicle and the same was seized by the respondent Police. On enquiry, it was found that the petitioner has purchased the goods from Bangalore and sold the same to the second accused. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he never committed any such offences as alleged by the prosecution. The petitioner is in custody from 28.08.2023. Hence, prays to release him on bail.

4. The learned Additional Public Prosecutor for the respondent Police submitted that one previous case is pending against the petitioner, which is similar in nature.

5. Considering the nature of offence and also considering that the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is



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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, Sivakasi District**, further condition that the petitioner shall also file an undertaking affidavit before the trial Court that he will not indulge in any offences in future and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders. 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/-

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

INDU

TO

- 1 THE JUDICIAL MAGISTRATE NO.I  
SIVAKASI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE  
SIVAKASI TOWN POLICE STAION,  
VIRUDHUNAGAR DISTRICT.



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4 THE OFFICER INCHARGE,  
SUB JAIL, VIRUDHUNAGAR.

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

+1 CC to M/s.R.CHANDRASEKAR, Advocate ( SR-14161[I] dated 26/09/2023 )

ORDER  
IN  
CRL OP(MD) No.17304 of 2023  
Date :26/09/2023

SS/26/09/2023/4P/7C

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