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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.17320 of 2023

S.Periasamy

... Petitioner/1st Accused

Vs.

The State represented by
The Inspector of Police,
Vanniyampatti Police Station,
Virudhunagar District.
Crime No.169 of 2023.

... Respondent/Complainant

For Petitioner : Mr.C.V.Vakeeswaran, 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.169 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/1st Accused, who was arrested on 14.09.2023 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.169 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on received secret information, on 14.09.2023 at about 13.15 hours, the Sub Inspector of Police of the respondent Police along with the Police party were on picketing duty at Keelapottalpatti near Panchayat Union School, where, the petitioner and another were found in illegal possession of banned tobacco products weighing about 15 grams and the same was seized by the respondent Police. 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 14.09.2023. Hence, prays to release him on bail. The earlier bail application that was filed by the petitioner was dismissed by the Principal Sessions Court, Madurai, on 20.09.2023.

4. The learned Additional Public Prosecutor for the respondent Police submitted that there is no previous case pending against the petitioner.

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.II, Srivilliputhur District*, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
26/09/2023

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26/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
SRIVILLIPUTHUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
VANNIYAMPATTI POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 4 THE OFFICER INCHARGE,
SUB JAIL, SRIVILLIPUTHUR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



WEB COUNCIL +1 CC to M/s.C.VAKEESWARAN, Advocate (SR-14164[I] dated 26/09/2023)

ORDER
IN
CRL OP(MD) No.17320 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