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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17367 of 2023

Muniyandi,

... Petitioner/ Accused No.3

Vs

The State rep. by
The Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar District,
Crime No.275/2023.

... Respondent/ Complainant

For Petitioner : M/s.Susi Kumar.C,
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.275/2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/ Accused herein, who was arrested on 15.08.2023 for the alleged

offence under Sections 328 of IPC read with Section 6(b), 24(i)(4) of Cigarettes and

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



other Tobacco Products Act (COTPA) 2003, in Crime No.275 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 15.08.2023 at about 7.00 a.m., when the respondent police were conducting checkup, they found the petitioner and other accused coming in a two wheeler. Their vehicles were checked, the respondent police found banned tobacco products, worth about Rs.44,280/-. The contraband was seized and the petitioner was arrested.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate submitted that the petitioner is having 14 previous cases. 40 Kgs of banned Tobacco products were seized from the petitioner.

5.Considering the facts and circumstances of this case, and also considering 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 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, Rajapalayam, Virudhunagar District, and on further condition that the petitioner is directed to file an undertaking affidavit before the concerned Court, stating that he will not indulge in similar offences in future.



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

sd/-
27/09/2023

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27/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. The Judicial Magistrate, Rajapalayam,
Virudhunagar District.
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District at srivilliputhur.
3. The Officer Incharge, Sub Jail, Srivilliputhur.
4. The Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC M/S. Meena, Advocate SR No.14372 dated 29/09/2023



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ORDER
IN
CRL OP(MD) No.17367 of 2023
Date :27/09/2023

SSA/27.09.2023/4P/7C

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