



CRL OP(MD). No.20049 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/11/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20049 of 2023

Murugan

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Pavoorchatram Police Station,
Tenkasi District.
Crime No.358 of 2023.

... Respondent/Complainant

For Petitioner : Mr.C.Saravanakumar, Advocate
For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.91 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole accused, who apprehends arrest at the hands of the respondent Police for the offences punishable under section 294(b), 353 I.P.C., and

Section 24(1) of Cigarette and other Tobacco Products Act, in Crime No.358 of 2023

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



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on the file of the respondent police, seeks anticipatory bail.

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2.The case of the prosecution is that when the respondent Police and his team were on their routine visit at Keela Arriyappapuram village, Vadakkukottai, Mupidathi Amman Kovil, they found that the petitioner illegally possessed 225 pockets, 50 kg of banned tobacco products in vehicle bearing Registration No.TN 79 J 8325. The vehicle and the banned tobacco products worth about Rs.19,800/- was seized by the respondent Police. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is only a driver of the alleged vehicle and he has no knowledge about the banned tobacco products.

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

5. Considering the fact and circumstances of this case and also considering that no previous case is pending against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions;

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of Rs.19,800/- (Rupees Nineteen Thousand and Eight Hundred only) to the credit of Cr.No.358 of 2023 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.



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7. On such deposit being made, 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, Tenkasi, and on further condition that the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

8. The petitioner shall file an undertaking affidavit before the concerned trial Court stating that he will not indulge in any such sort of illegal activities in future. If there is any violation of affidavit or if any fresh case is registered against him, the bail granted by this Court shall stand cancelled automatically without any reference to the Court.

sd/-
08/11/2023

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/11/2023

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

Indu
TO

1 THE JUDICIAL MAGISTRATE, TENKASI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, PAVOORCHATRAM POLICE STATION,
TENKASI DISTRICT.



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

+1 CC to M/s.C.SARAVANAKUMAR, Advocate (SR-16148[I] dated 09/11/2023)

ORDER

IN

CRL OP(MD) No.20049 of 2023

Date :08/11/2023

RS/VR/SAR-(20.11.2023) 4P 6C

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