



CRL OP(MD). No.20118 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.20118 of 2023

Sivaguru Senthil Prabu

... Petitioner/Sole Accused

Vs

State Rep.by
The Sub Inspector of Police,
Vachakarapatti Police Station,
Virudhunagar District.
(Crime No.237/2023).

... Respondent/Complainant

For Petitioner : Mrs.S.Prabha,
Advocate.

For Respondent : Mr.R.M.S.Sethuraman,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.237/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /sole accused herein, who was arrested on 27.10.2023 for the alleged offence under Sections 328 of IPC and Sections 6(b), 24(1) Cigarette and Other Tobacco Act, 2003 in Crime No.237 of 2023, on the file of the respondent police, seeks



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2. The case of the prosecution is that on 27.10.2023, when the police officials were on patrol duty they waylaid the car bearing Reg.no TN 69BA 204 and found the petitioner in possession 67.5kgs of banned tobacco products. Hence a complaint was lodged and a case was registered.

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. He would further submit that the petitioner is in judicial custody from 27.10.2023, hence he seeks bail.

4. The learned Additional Public Prosecutor would submit that the petitioner was found in possession 67.5kgs of banned tobacco products. He would further submit that three similar previous cases are pending against the petitioner.

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

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a 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, Virudhunagar, and the petitioner shall file an undertaking affidavit before the trial Court that he will not indulge in any kind of



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offence in future and on further condition that the petitioner shall report before the

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respondent police daily at 10.30 a.m. until further orders.

sd/-

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08/11/2023

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

AAV
TO

1 THE JUDICIAL MAGISTRATE NO.I, VIRUDHUNAGAR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE OFFICER INCHARGE, DISTRICT JAIL, VIRUDHUNAGAR.

4 THE SUB INSPECTOR OF POLICE, VACHAKARAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.S.PRABHA, Advocate (SR-16047[I] dated 08/11/2023)

ORDER IN
CRL OP(MD) No.20118 of 2023
Date :08/11/2023

RS//SAR-(08.11.2023) 3P 7C

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