



CRL OP(MD). No.20121 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.20121 of 2023

M.Mariappan

... Petitioner/ Accused No.2

Vs

State Rep.by
The Sub Inspector of Police,
Krishnan Kovil Police Station,
Virudhunagar District.
Crime No. 143 of 2023.

... Respondent/Complainant

For Petitioner : Mr.N.Marimuthu,
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.143 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner /A2 herein, who was arrested on 21.10.2023 for the alleged offence under Sections 328 of IPC and Sections 6(b), 24(1) Cigarette and Other Tobacco Act, 2003 and Section 77 of Juvenile Justice Act, 2015 in Crime No.143 of



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2023, on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 21.10.2023, when the police officials were on patrol duty regarding illegal possession of banned tobacco products near Sundarapandiyam to Kottaiyur road they found the petitioner in possession 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 custody from 21.10.2023, hence he seeks bail.

4. The learned Additional Public Prosecutor would submit that the petitioner was found in illegal possession of banned tobacco products. He would further submit that two 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.II, Srivilliputhur 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.II, SRIVILLIPUTHUR.

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

3 THE OFFICER INCHARGE, SUB JAIL, SRIVILLIPUTTUR.

4 THE SUB INSPECTOR OF POLICE, KRISHNAN KOVIL POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER
IN

CRL OP(MD) No.20121 of 2023

Date :08/11/2023

RS//SAR-(08.11.2023) 3P 6C

Madurai Bench of Madras High Court is issuing
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