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Crl.O.P.No.27247 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2024

CORAM :JUSTICE N.SESHASAYEE

Crl.O.P.No.27247 of 2024

V.Vigneshwaran

... Petitioner

Vs.

State, Rep. By
The Sub Inspector of Police
P1, Pulianthope Police Station
Chennai – 12.
(Crime No.604/2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS Act, praying to enlarge the petitioner on bail in Crime No.604 of 2024 on the file of the respondent police.

For Petitioner : Mr.A.Nirmal Kumar

For Respondent : Dr.C.E.Pratap
Government Advocate [Crl. Side]

ORDER

The petitioner herein was arrested and remanded to judicial custody on 25.10.2024 pursuant to his alleged involvement in offences, which as per the FIR in Crime No.604/2024 on the file of P1, Pulianthope Police Station,



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Chennai – 12, for offences under Section 24(1) of Cigarette and other Tobacco Products Act 2003 r/w. 123 of BNS Act.

2. The learned counsel for the petitioner submitted that the petitioner was arrested only on 25.10.2024, that his mother had passed away today morning at 00.30 hours and that he may be granted atleast three days interim bail to participate in the funeral rites.

3. The learned counsel further added that even in the eventuality of the petitioner released on interim bail, he may be able to furnish the surety only on 28.10.2024.

4. The learned Prosecutor submitted that besides this case, the petitioner has four other cases before the respondent-police in (a) Crime No.268/2022 for offence under Sec. 20(b)(ii)(B), 22(a), 29(1), 8(c) of NDPS Act; (b) Crime No.89/2020 for offence under Sec.294(b), 323, 336, 341, 392, 397, 506(ii) IPC; (c) Crime No.381/2019 for offence under Section 75 of TNCP Act; and (d) Crime No.546 of 2018 for offence under Sec.294(b), 341, 353, 506(ii) IPC, and he is an habitual offender. However, he conceded that the reason



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why the petitioner seeks bail is genuine as per his instructions that his mother had passed away.

5. After weighing the rival submissions, this Court grants interim bail to the petitioner for three days on he 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 Metropolitan Magistrate, X MM Court at Egmore, and on further conditions that :-

[a] the petitioner is required to sign before the respondent-police twice a day except during the time when the funeral actually takes place;

[b] the sureties are required to be produced on 28.10.2024 before the concerned Magistrate;

[c] the petitioner is required to surrender before the prison authorities on 30.10.2024 before 4.00 p.m.,

26.10.2024

Note to Registry: Since the order is passed now at 4.40 p.m., the Registry is required to email a copy of this order to the prison authorities as well as the concerned X MM Court, and it is required to be complied immediately.

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N.SESHASAYEE, J.
ds

To:

- 1.The Judicial Magistrate
X MM Court, Egmore.
- 2.The Sub Inspector of Police
P1, Pulianthope Police Station
Chennai – 12.
- 3.The Superintendent
Puzhal Prison, Chennai.
- 4.The Public Prosecutor
High Court of Madras.

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