



CRL OP(MD). No.989 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/02/2024

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.989 of 2024

Karthik @ Karthikraja

... Petitioner / Accused No.5

Vs

The State represented by
The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
Crime No.354 of 2022.

... Respondent / Complainant

For Petitioner : M/s.M.Solaisamy, Advocate

For Respondent : Mr.R.Suresh Kumar
Government Advocate (Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.354 of 2022 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner /Accused No.5, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 272, 273 and 328 of IPC in Crime No.354 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 20.08.2022, when the respondent police were conducting vehicle check up in Sattur to Sivakasi Main Road, the Accused No.4 was coming from Sattur to Sivakasi in his vehicle. They made a search in that vehicle and found banned tobacco products. They recovered the contraband and registered the case.

3. Learned Government Advocate (Crl.side) submitted that there is no issue with regard to the identity of the accused.

4. Learned counsel for the petitioner submitted that even as per the birth certificate of the petitioner, he was born on 02.12.2002. On the date of the alleged occurrence, he was only aged about 19 years. According to him, this petitioner is not involved in the occurrence.

5. In view of the above said development, this Court is inclined to grant relief to the petitioner.



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6. Accordingly, this Criminal Original Petition is allowed and on such undertaking affidavit being filed, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.2, Sivakasi, on condition that the petitioners shall execute 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 Magistrate concerned and on further condition that the petitioner shall appear before the trial Court daily at 10.30 a.m., until further orders and cooperate to complete the investigation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
08/02/2024

(*)For Being Mentioned as Per Order of this
Hon'ble Court dt.23.02.2024 in CrI.OP(MD).
989/2024.

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/02/2024

Sub-Assistant Registrar (CS- I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO BE SUBSTITUTED WITH THE ORDER DT.08/02/2024 ALREADY
DESPATCHED

- 1.(*)THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
SRIVILLIPUTUR AT VIRUDHUNAGAR DISTRICT.
- 2.THE JUDICIAL MAGISTRATE NO.2, SIVAKASI.
- 3.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
- 4.THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION, VIRUDHUNAGAR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.SOLAISAMY, Advocate (SR-1662[I] dated 09/02/2024)

ORDER IN
CRL OP(MD) No.989 of 2024
Date :08/02/2024

RK/GS(13/02/2024) 4P / 6C

TRP

SA/VR/SAR. /01.03.2024/4P 7C

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