



CRL OP(MD). No.3099 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/02/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.3099 of 2024

A.Arumugam,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Valanadu Police Station,
Tiruchirappalli District.
Crime No.27 of 2024..

... Respondent/Complainant

For Petitioner : Mr.A.Azhageson,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.27 of 2024 on the file of the Respondent Police.



CRL OP(MD). No.3099 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 16.02.2024 for the alleged offence punishable under Section 328 IPC r/w Sections 6 and 24(1) of Cigarette and Other Tobacco Products Act, 2003 in Crime No.27 of 2024 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner has illegally transported 1 Kg 200 gms of Hans Tobacco pockets. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. However, on instructions, he would further submit that the petitioner, without prejudice to his rights, is ready to pay a sum Rs.5,000/- to the Trust and hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the investigation is going on.



CRL OP(MD). No.3099 of 2024

WEB COPY

5. Considering the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his 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, Manapparai and on further conditions that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) as per the undertaking given by the petitioner, the petitioner is directed to pay a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Rojavanam, Home for aged and poor, Account No.6481560540, Indian Bank, Madurai Bench of Madras High Court, Madurai, and the proof shall be filed before the trial Court. The



CRL OP(MD). No.3099 of 2024

WEB COPY

concerned Magistrate, after perusing the proof, shall accept the sureties furnished by the petitioner;

(c)the petitioner is directed to appear before the respondent Police as and when required for interrogation;

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



CRL OP(MD). No.3099 of 2024

WEB COPY

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
28/02/2024

/ TRUE COPY /

/02/2024
Sub-Assistant Registrar (PA-I/ AD-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1. THE JUDICIAL MAGISTRATE, MANAPPARAI
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE OFFICER IN CHARGE, SUB JAIL, MANAPPARAI.
4. THE INSPECTOR OF POLICE,
VALANADU POLICE STATION,
TIRUCHIRAPPALLI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE OFFICER IN CHARGE,
ROJAVANAM, HOME FOR AGED AND POOR,
ULAGANERI, MADURAI.



CRL OP(MD). No.3099 of 2024

+1 CC to M/s.A.AZHAGESON, Advocate (SR-2499[I] dated 28/02/2024)

WEB COPY

ORDER
IN

CRL OP(MD) No.3099 of 2024

Date :28/02/2024

RK/SKN (28/02/2024) 6P / 8C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023