



CRL OP(MD). No.5109 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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Sek Ali

... Petitioner/Sole Accused

Versus

The Sub Inspector of Police,
Pavoorchatram Police Station,
Tenkasi District.
(Cr.No.78 of 2024)

...Respondent/ Complainant

For Petitioner : Mr.G.Thiruvartselvan, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabakar
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.78 of 2024 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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The petitioner/sole accused, who was arrested and remanded to judicial custody on 21.03.2024 for the offence punishable under Section 24(1) of the Cigarette and other Tobacco Products Acts 2003 and Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.78 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that On 21.03.2024 at about 13.30 hrs., when the police officials were on surveillance to prevent the sale of tobacco products, they found that the petitioner was in possession of 3 packets of Ganesh 701 Tobacco, each packet containing 225 grams and they recovered the same from the petitioner.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner is languishing in jail from 21.03.2024. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent opposed for grant of bail on the ground that the contraband has been recovered from the petitioner. However, he fairly submits that there is no previous case against the petitioner.

5. Considering the period of incarceration and also considering the fact that



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the petitioner is not having any previous case, this Court is inclined to grant bail to the petitioner.

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6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail

i) on the petitioner executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Tenkasi.

ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in proof of their residence address;

iii) The petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter shall appear as and when required by the respondent police. He has to co-operate for the investigation.

iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. He shall be available for the trial as well.



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v. On violation of any of the above conditions by the petitioner,
the respondent police shall move an application for cancellation of the
bail.

sd/-
02/04/2024

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02/04/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

To

1.The Judicial Magistrate,
Tenkasi.

2.Do through the Chief Judicial Magistrate,
Tirunelveli District.

3.The Sub Inspector of Police,
Pavoorchatram Police Station,
Tenkasi District.

4.The Superintendent,
Central Prison,
Palayamkottai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.G.THIRUVARUTSELVAN, Advocate (SR-4105[I] dated 02/04/2024)



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ORDER

IN

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Date :02/04/2024

ED/ /SAR- (02/04/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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