



CRL OP(MD). No.5910 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5910 of 2024

Ranjith @ Ranjith Kumar,

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Cholapuram Police Station,
Thanjavur District.
(Crime No.155/2024).

... Respondent/Complainant

For Petitioner : M/s.Sankar S, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.155/2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The respondent police registered a case as against this petitioner in Crime No.155 of 2024 for the offence under Section 328 IPC and Sections 6 and 24(1) of Cigarette and Other Tobacco Products Act 2003, and remanded him into judicial custody on 26.03.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that the petitioner was in unlawful possession of 585 Kgs of banned Hans Pockets, Cool Lip Packets, Vimal VI Side Packets and M-scented Tobacco, Vimal VI packets and RMD packets. Hence the case.

3.The learned Counsel for the petitioner submits that the petitioner was not at all present in the place of occurrence. The Mahindra Jeeto Plus/four wheeler belong to the second accused. However, the police has arrested the petitioner and he is languishing in jail from 26.03.2024. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent opposed for grant of bail and submitted that the respondent police has found two persons, who were unloading the banned Tobacco products from a Mahindra Jeeto Plus to a two-wheeler. On seeing the police party, the accused absconded from the



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place of occurrence. The respondent police has arrested one Parameshwaran, who is arrayed as A2 and from his confession statement, they have fixed the petitioner as A1.

5. Considering the facts and circumstances of the case, the period of incarceration, the antecedents of the petitioner and also considering the fact that the investigation agency has failed to collect any material against the petitioner, except the confession statement of A2, this Court is inclined to grant bail to the petitioner.

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 District Munsif Cum Judicial Magistrate, Thiruvudaimarudhur.

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 stay at Annal Agraharam, Kumbakonam and appear before the Inspector of police, Cholapuram Police Station,



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daily at 10.30 a.m. until further orders 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.

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/-
22/04/2024

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22/04/2024
Sub-Assistant Registrar (VIGILANCE)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

1.THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUVIDAIMARUDHUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.



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3.THE OFFICER IN CHARGE,
SUB JAIL,
THIRUVIDAIMARUDHUR.

4.THE INSPECTOR OF POLICE,
CHOLAPURAM POLICE STATION,
THANJAVUR DISTRICT.

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

COPY TO

THE INSPECTOR OF POLICE,
CHOLAPURAM POLICE STATION,
KUMBAKONAM

+2 CC to M/s.S.SANKAR, Advocate (SR-4658[I] dated 22/04/2024)

ORDER
IN
CRL OP(MD) No.5910 of 2024
Date :22/04/2024

RK (22/04/2024) 5P / 9C

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