



CRL OP(MD). No.9182 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.9182 of 2024

Praveen @ Praveenkumar,

... Petitioner/1st Accused

Vs

The Sub Inspector of Police,
South Gate Police Station,
Madurai City,
Cr.No.155 of 2024.

... Respondent/Complainant

For Petitioner : M/s.Laxman.K.R.,
Advocate.

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

PRAYER :- For Bail in Crime No.155 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime No.155 of 2024 for the offence under Section 328 I.P.C and Section 24(1) of Cigarettes and Other Tobacco Products Act,2003, and remanded him into judicial custody on 03.06.2024. Therefore, the petitioner has filed this petition seeking bail.



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2. The case of the prosecution is that the petitioner and other accused were found in possession of 11.250 Kgs of tobacco products.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he is languishing in jail from 03.06.2024.

4. The learned Additional Public Prosecutor appearing for the respondent opposes for grant of bail on the ground that the petitioner is having 13 previous cases.

5. Considering the nature of offence and also considering the antecedent of the petitioner, this Court was not inclined to grant bail to the petitioner.

6. At this juncture, the learned counsel appearing for the petitioner submits that the petitioner has realized his mistake and he undertakes that he will not indulge in any offence in future. To that effect, the petitioner is also prepared to file an undertaking affidavit before the respondent Police and also before the concerned Judicial Magistrate at the time of furnishing the sureties. Apart from that, the



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petitioner is also willing to contribute a sum of Rs.30,000/- (Rupees thirty thousand only) to the credit of the Chief Educational Officer, Madurai District, for the purpose of providing any amenities, like, drinking water facility, toilet facility or smart class room, to any one of the Government School in Madurai District.

7. Considering the undertaking given by the petitioner that he will not indulge in any offence in future and also considering the change in the petitioner's attitude, this Court is inclined to grant bail to the petitioner.

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

i) The petitioner is directed to pay a sum of Rs.30,000/- to Chief Educational Officer, Madurai District which can be used either for constructing a toilet in a girls' Government school or arranging facilities for drinking water or for establishing a smart class room, within Madurai District.

(ii) 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 No.IV, Madurai.

iii) The petitioner and the sureties shall submit a copy of their Aadhaar



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address.

Card or any other identity card issued by the government in proof of their residence

iv) The petitioner shall report before the respondent Police daily at 10.30 a.m. until further order. He has to co-operate for the investigation.

v) The petitioner shall file an undertaking affidavit before the respondent Police as well as before the concerned Magistrate that he will not indulge in any offence in future.

vi) 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.

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

sd/-
24/06/2024

/ TRUE COPY /

24/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS



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TO
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- 1 THE JUDICIAL MAGISTRATE NO.IV
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE SUB INSPECTOR OF POLICE
SOUTH GATE POLICE STATION,
MADURAI CITY
- 4 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:
THE CHIEF EDUCATIONAL OFFICER,
MADURAI DISTRICT.

+1 CC to M/s.K.R.LAXMAN, Advocate (SR-6846[I] dated 24/06/2024)

ORDER
IN
CRL OP(MD) No.9182 of 2024
Date :24/06/2024

SS/SAR- /24/06/2024/5P/8C

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