



CRL OP(MD). No.9948 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 05/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.9948 of 2024

Chandra @ Chandra Thirupathi

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Vaikaidam Police Station,
Theni District,
(Crime No.24/2024.)

... Respondent/Complainant

For Petitioner : M/s.Susi Kumar.C, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-For Bail in Crime No.24/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 12.06.2024 for the offences punishable under Section 272, 273, 328 I.P.C and Sections 6(b),24(1) of Cigarette and other Tobacco Products Act, 2003, in crime No.24



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of 2024 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the petitioner and other accused were in illegal possession of 74.470 Kgs of Tobacco products

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 12.06.2024, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the investigation is yet to be completed. Hence, he strongly opposed to grant bail.

5.Considering the facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner on certain conditions.

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

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



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(ii) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

[C] the petitioner shall make a non refundable deposit of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Save Poor Live, A/c.Lavanya Patel, Account No.20000913487 IFSC No.SBI0001855, without prejudice to his contentions and rights before the trial Court.

(iii) the petitioner shall not tamper with evidence or witness;

iv) the petitioner shall not abscond during trial.

v) 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].

sd/-
05/07/2024

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05/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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- 1.The Judicial Magistrate,
Aundipatti.
- 2.Do through the Chief Judicial Magistrate,
Theni District.
- 3.The Inspector of Police,
Vaikaidam Police Station,
Theni District.
- 4.The Superintendent,
Central Prison for Women,
Madurai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Officer Incharge,
Save Poor Lives Trust,
Flat No.A1, Ceebroas Garden Ground Floor,
Old No.763, Karamarajar Salai,
Raja Annamalaipuram,
Chennai - 600 028.

+1 CC to M/s.C.SUSIKUMAR, Advocate (SR-7548[I] dated 05/07/2024)

ORDER
IN
CRL OP(MD) No.9948 of 2024
Date :05/07/2024



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