



CRL OP(MD). No.10947 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2024

PRESENT

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

CRL OP(MD). No.10947 of 2024

G.Jeyakaran

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Thiruvaiyaru Police Station
Thanjavur District.
Crime No.343/2024

... Respondent/Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Cr No.343/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 23.06.2024 for the offences punishable under Sections 273 & 328 of IPC r/w 20(1) of Cigarette and other Tobacco Products Acts, 2003, in Crime No.343 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 was found in illegal possession of 3 Kg of banned tobacco products worth about Rs.1,000/-. Hence, the case.

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 23.06.2024. Hence, he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the petitioner was found in illegal possession of 3 Kg of banned tobacco products worth about Rs.1,000/- and the investigation is in preliminary state. Hence, he vehemently, opposed to grant bail to the petitioner.

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 Judicial Magistrate Court, Thiruvaiyaru, Thanjavur District.

(i)the sureties shall affix their photographs and left thumb impression in the



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surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the trial Court daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(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].

(vi)If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

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Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS



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TO

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1 THE JUDICIAL MAGISTRATE, THIRUVAIYARU, THANJAVUR DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE, DISTRICT PRISON, THANJAVUR,
THANJAVUR DISTRICT.

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

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

ORDER

IN

CRL OP(MD) No.10947 of 2024

Date :22/07/2024

RS//SAR-(22.07.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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