



CRL OP(MD). No.11276 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/07/2024

PRESENT

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

CRL OP(MD). No.11276 of 2024

Jayachandran,

... Petitioner/Sole Accused

Vs.

The Inspector of Police,
Woraiyur Police Station,
Trichirappalli District,
Crime No.479/2024.

... Respondent/Complainant

For Petitioner : M/s.Gurumoorthy.S,
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.479/2024 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



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on 12.07.2024 for the offences punishable under Sections 123 and 275 BNS, 2023 r/w.

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Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and Section 6 (b) and 24(1) of Cigarettes and other Tobacco Products Act, 2003, in crime No.479 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was illegal possession of 86 pockets of Hans and 114 pockets of Cool Lip tobacco products. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case and he is in judicial custody from 12.07.2024 and hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public prosecutor would submit that petitioner was illegal possession of banned tobacco products and he is having three previous cases. The investigation is almost completed and he strongly 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



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Ten Thousand only) with two sureties each for a like sum to the satisfaction of the
Judicial Magistrate No.IV, Tiruchirappalli.

(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;

(ii)the petitioner shall report before the respondent Police 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] and



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(vi)if the accused thereafter absconds, a fresh FIR can be registered under

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Section 229-A IPC.

sd/-
23/07/2024

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/ /2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. The Judicial Magistrate No.IV,
Tiruchirappalli.
2. Do through The Chief Judicial Magistrate,
Tiruchirappalli.
3. The Superintendent,
Central Prison,
Tiruchirappalli.
4. The Inspector of Police,
Woraiyur Police Station,
Trichirappalli District.



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

ORDER
IN
CRL OP(MD) No.11276 of 2024
Date : 23/07/2024

SL(24.07.2024)/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.