



CRL OP(MD). No.11076 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.11076 of 2024

Rajamanickam

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Kattuputhur Police Station,
Trichy District.
Crime No.195 of 2024

... Respondent/Complainant

For Petitioner : Mr.T.Leninkumar, 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 Crime no.195 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 10.07.2024 for the offences punishable under Sections 123 of the Bharatiya Nyaya Sanhita (BNS), 2023 and Section 6(a), 24(1) of Cigarette and other Tobacco Products Acts, 2003 r/w Section 77 of the Juvenile Justice (Care and Protection of Children)



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Act, 2015, in Crime No.195 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 the other accused were found in illegal possession of 15.340 kg of tobacco products worth about Rs.13,750/-. 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 no previous case is pending against the petitioner and he is in judicial custody from 10.07.2024. Hence, he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the investigation is in preliminary state. But, however, he fairly conceded that no previous case is pending against the petitioner.

5.Considering the period of incarceration and also considering the fact that no bad antecedent is reported against the petitioner, 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, Thottiyam.

(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 three 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.

sd/-
22/07/2024

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22/07/2024

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, THOTTIYAM.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY..

4 THE INSPECTOR OF POLICE, KATTUPUTHUR POLICE STATION,
TRICHY DISTRICT.

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

+1 CC to M/s.T.LENINKUMAR, Advocate (SR-8226[I] dated 22/07/2024)

ORDER

IN

CRL OP(MD) No.11076 of 2024

Date :22/07/2024

RS//SAR-(22.07.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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