



CRL OP(MD). No.11108 of 2024

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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.11108 of 2024

Murugan,

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Thallakulam Police Station
Madurai City.
Crime No.747/2024.

... Respondent/Complainant

For Petitioner : Mr.M.Jegadeesh Pandian,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :- For Bail in Crime No.747/2024 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 13.07.2024 for the offences punishable under Sections 275 and 123 of BNS, 2023 and Section 24(1) of Cigarette and Other Tobacco Products Act, 2003, in crime No.747 of 2024 on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that on 13.07.2024, the petitioner was found in illegal possession of Cool Lip-56 pockets, Vimal Masala – 52 pockets and V1 Masala – 51 pockets. 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. He would further submit that the petitioner is in judicial custody from 13.07.2024, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the petitioner is having one previous case and 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 facts that the petitioner is in judicial custody from 13.07.2024, 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 No.II, Madurai District.

(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



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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.,
for a period of four 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].

sd/-
23/07/2024

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

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1. The Judicial Magistrate No.II,
Madurai District.
2. Do Through The Chief Judicial Magistrate,
Madurai District.
3. The Superintendent,
Central Prison,
Madurai.
4. The Inspector of Police,
Thallakulam Police Station
Madurai City.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.11108 of 2024
Date : 23/07/2024



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SL (23/07/2024) 5P / 6C

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