



CRL OP(MD). No.11572 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/07/2024

PRESENT

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

CRL OP(MD). No.11572 of 2024

Seenikathar,

... Petitioner/ Accused

Vs

The State rep.by
The Inspector of Police,
Thallakulam Police Station,
Madurai City,
(Crime.No.762 of 2024.)

... Respondent/Complainant

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

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

PRAYER :- For Bail in Crime No.762 of 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 Section 24 (1) of Cigarette and other Tobacco Products Act, 2003 and Section 18(c) of Drugs and Cosmetics Act, 1940 and



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Sections 123 and 483 BNS, 2023 and Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2018, in Crime No.762 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and other accused were in illegal possession of tobacco products. 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 13.07.2024, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the petitioner is not having any previous cases and the investigation is still pending. 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 No.II, Madurai District.



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(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 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].

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

sd/-

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



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TO

1. The Judicial Magistrate No.II,
Madurai District

2. Do-Through
The Chief Judicial Magistrate,
Madurai District.

3. The Inspector of Police,
Thallakulam Police Station,
Madurai City.

4. The Officer Incharge
Central Prison, Madurai.

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

ORDER

IN

CRL OP(MD) No.11572 of 2024

Date :25/07/2024

SI(25.07.2024) 4P/ 6C

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