



CRL OP(MD). No.14583 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14583 of 2024

Sundaramoorthy

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Elayirampannai Police Station,
Virudhunagar District,
(Crime No.102/2024.)

... Respondent/Complainant

For Petitioner : M/s. Mariappan.N, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.102 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 09.08.2024 for the offences punishable under Section 123 of BNS, 2023 r/w Section 6(b) and 24(1) of COTP Act, in Crime No.102 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the other accused were



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found in illegal possession of 165 pockets of Tobacco products. Hence, the case.

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3. Heard the learned counsel on either side and perused the material records of the case.

4. Considering the facts and circumstances of the case and also considering the nature of allegation against the petitioner that he was found to be in illegal possession of 165 packets of Tobacco products and considering the fact that he has got one previous case and that the petitioner is in custody from 09.08.2024, I am inclined to grant bail to the petitioner on certain conditions.

5. 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.I, Sattur, Virudhunagar District.

[i] the sureties shall affix their photographs and Left thumb Impression in the surety bond and the Special Court/concerned Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[ii] the petitioner is directed to deposit a sum of Rs.12,000/- (Rupees Twelve Thousand only) to the credit of Headmistress, Government Higher Secondary School, E.Malampatti, Melur Taluk, Madurai District. (Account No.10662832760, CIF No; 80521814092, IFSC Code: SBIN0000258, State Bank of India, Melur Branch,



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Madurai), without prejudice to his rights and contentions before the trial Court.

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Only upon deposit, the petitioner shall be enlarged on bail;

(iii) The petitioner shall report before the respondent police daily at 10.30 a.m, for a period of three weeks and thereafter, as and when required for interrogation;

[iv] the petitioner shall not tamper with evidence or witness;

[v] the petitioner shall not abscond during trial.

[vi] On breach of any of the aforesaid conditions, the learned Judicial 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].

[vii] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
02/09/2024

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02/09/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

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1.The Judicial Magistrate No.I,
Sattur, Virudhunagar District.

2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

3.The Inspector of Police,
Elayirampennai Police Station,
Virudhunagar District.

4.The Officer Incharge,
Sub Jail, Virudhunagar

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

ORDER
IN

CRL OP(MD) No.14583 of 2024

Date :02/09/2024

ED/ /SAR- (02/09/2024) 4P / 6C

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