



CRL OP(MD). No.16025 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16025 of 2024

Mari Rama

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Pudukkottai Police Station,
Thoothukudi District.
(Crime No. 239/2024.)

... Respondent/Complainant

For Petitioner : M/s.Vijayendiran.V, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 239 of 2024 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 29.07.2024 for the offences punishable under Sections 123 of BNS and 24(1) of Cigarette and other Tobacco Products Act, 2003 in crime No.239 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner herein and other accused were illegally found in possession of 187 Kgs of banned Tobacco products. Hence, the complaint.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police.

4. The case is serious in nature as there is a huge haul of Tobacco products, only considering the fact that now the petitioner is in custody from 29.07.2024 and the investigation is not progressed because the other accused is still not arrested and considering the arguments of the learned counsel for the petitioner that without prejudice to his contention, he is ready and willing to deposit a sum of Rs.25,000/- towards the Tobacco awareness program, I am inclined to enlarge the petitioner on bail.

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



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

(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 pay a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the Rajaji Hospital (the said amount should be transferred to Tobacco Awareness Programme) (Account No:-7097546149, IFSC Code:- IDIB000T003, Indian Bank, Tallakulam Branch), without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;

(iii)the petitioner shall appear before the respondent Police daily at 10.30 am 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 Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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



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Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

sd/-
24/09/2024

/ TRUE COPY /

24/09/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

To

- 1.The Judicial Magistrate No.III,
Thoothukudi.
- 2.Do through the Chief Judicial Magistrate,
Thoothukudi District.
- 3.The Inspector of Police,
Pudukkottai Police Station,
Thoothukudi District.
- 4.The Officer Incharge,
Sub Jail, Srivaikundam.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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The Officer Incharge,
Rajaji Hospital, Madurai.

+1 CC to M/s.V.VIJAYENDIRAN, Advocate (SR-11654[I] dated 24/09/2024)

ORDER

IN

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Date :24/09/2024

ED/ /SAR- (24/09/2024) 5P / 8C

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