



CRL OP(MD). No.15678 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15678 of 2024

1. Kokila,

2. Karthick,

... Petitioners/ Accused Nos.1 & 2

Vs

The State of Tamil Nadu,
Rep. By, the Inspector of Police,
Thottiyam Police Station,
Trichy District.
(Crime No.231 of 2024).

... Respondent/ Complainant

For Petitioner : M/s.N.Sudhagar Nagaraj, Advocate.

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

PETITION FOR BAIL UNDER SECTION 483 OF BNSS



CRL OP(MD). No.15678 of 2024

PRAYER:-

For Bail in Crime No.231 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who were arrested and remanded to judicial custody on 05.09.2024 for the offences punishable under Sections 123 of BNS and Section 6 r/w. 24(1) of Cigarette and other Tobacco Products Act , in crime No.231 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners herein were illegally found in possession of 1.203 Kgs of banned Tobacco products. Hence, the complaint.

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

4. Considering the nature of allegations against the petitioners that in their petty shops they were selling the banned tobacco products including Cool lips chocolates and considering the total quantity being 1.203 kilogram and considering the fact that the petitioners are in custody from 05.09.2024, I am inclined to enlarge the petitioners on bail.

5. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees

Ten Thousand only) each with two sureties each for a like sum to the satisfaction of

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CRL OP(MD). No.15678 of 2024

the learned District Munsif Cum Judicial Magistrate, Thottiyam, Trichy 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 card or Bank Pass Book to ensure their identity;

ii) the petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) each 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 their rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;

(iii) the petitioners shall appear before the respondent Police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation;

(iv) the petitioners shall not tamper with evidence or witness;

v) the petitioners 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 petitioners 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].

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CRL OP(MD). No.15678 of 2024

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

229A IPC.

sd/-

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19 / 09 / 2024

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

TRP

TO

1 THE JUDICIAL MAGISTRATE
THOTTIYAM, TRICHY DISTRICT.

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

3 THE OFFICER INCHARGE
SUB JAIL, MUSIRI.

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

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



CRL OP(MD). No.15678 of 2024

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THE DEAN,
RAJAJI HOSPITAL,
MADURAI.

ORDER
IN
CRL OP(MD) No.15678 of 2024
Date :19/09/2024

PSP/ /SAR /19.09.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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