



CRL OP(MD). No.15922 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15922 of 2024

Venkatesh @ Vengadesh

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.

Crime No.427/2024.

... Respondent/Complainant

For Petitioner : Mr.D.Rajaboopathy, Advocate.

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

PETITION FOR BAIL UNDER SEC 483 of BNSS

PRAYER :-

For Bail in Crime No.427/2024 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 10.09.2024 for the offences punishable under Sections 6(b), 24(1) of Cigarette and Tobacco Products Act, 2003 and Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.427 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of two numbers of cool lip pocket and three numbers of ganesh tobacco



CRL OP(MD). No.15922 of 2024

pockets, for selling. 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 considering the nature of allegations that the petitioner in his shop was selling the banned tobacco products, including cool lips and considering the quantity of the tobacco products and considering the fact that he is in jail from 10.09.2024 and that there are no other bad antecedents for the petitioner. of incarceration, this Court is 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, Tenkasi, Tenkasi 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]As undertaken, the petitioner is directed to deposit a sum of Rs.2,000/- (Rupees Two Thousand only) to the credit of Government Rajaji Hospital, Madurai, (Account No.7097546149, IFSC Code: IDIB000T003, MICR Code; 525019008, Indian



CRL OP(MD). No.15922 of 2024

WEB COPY

Bank, Madurai), for conducting Tobacco Awareness Programme without prejudice to his rights and contentions before the trial Court; 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 two 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/-
23/09/2024

/ TRUE COPY /

23/09/2024

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

LS



CRL OP(MD). No.15922 of 2024

TO

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1 THE JUDICIAL MAGISTRATE, TENKASI, TENKASI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, TENKASI POLICE STATION, TENKASI DISTRICT.

4 THE OFFICER INCHARGE, DISTRICT JAIL, TENKASI, TENKASI DISTRICT.

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

COPY TO

THE DEAN, GOVERNMENT RAJAJI HOSPITAL, MADURAI.

+1 CC to M/s.D.RAJABOOPATHY, Advocate (SR-11575[I] dated 23/09/2024)

ORDER
IN

CRL OP(MD) No.15922 of 2024

Date :23/09/2024

RS//SAR-(23.09.2024) 4P 8C

Madurai Bench of Madras High Court is issuing
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