



CRL OP(MD). No.16258 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 27/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16258 of 2024

1. P.Karunanithi

2. Senthil P

... Petitioners/ Accused No.1 and 2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Edamalaipattipudur Police Station,
Trichy City,
(Crime No.554 of 2024).

... Respondent/Complainant

For Petitioner : Mr.C.Saravanakumar, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 554 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ A1&A2, who were arrested and remanded to judicial custody on



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12.09.2024 for the offences punishable under Sections 275,123 of BNS 2023 r/w. Section 24 of Cigarette and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce production (Supply and Distribution) Act, 2003 , in Crime No.554 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that on 10.09.2024 at about 10.00 p.m., on a secret information the Food Safety Officers team was on raid, in Valli Grocery Shop at Olaiyur seized the banned tobacco products from the owner of the shop Nallusamy. The said Nallusamy told that he bought the same from A3. On 11.09.2024 at about 12.45 am., in the early morning when they were on raid at Olaiyur Bypass Road found A3 and A4 in possession of 9.726kgs of banned tobacco products in a Bolero pickup and in a omni van. On a secret information on 11.09.2024 at about 2.00 pm., they were on raid near Panchapur main road at AKR Express (P) Ltd, found 190.361 kgs of banned tobacco products kept in parcels in a four wheeler. Hence the case.

3.Heard both sides.

4. Considering the nature of allegations against the petitioner that huge quantity of tobacco products were being booked by A1 and A2 under the guise of consignment of clothes and considering the fact that the petitioners herein are



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Manager of the parcel service and its driver and considering the fact that the petitioners are in judicial custody from 12.09.2024 and considering the fact that the petitioners themselves have lodged a complaint with the reference to the same, this Court is inclined to grant bail to the petitioners on certain conditions.

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 the learned Judicial Magistrate No.II, Tiruchirapalli

(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 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;

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

iv) the petitioners 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 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



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

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

sd/-
27/09/2024

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27/09/2024
Sub-Assistant Registrar (Judicial)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

To

1.The Judicial Magistrate No.II,
Tiruchirapalli.

2.Do through the Chief Judicial Magistrate,
Tiruchirapalli District.

3.The Inspector of Polica,
Edamalaipattipudur Police Station,
Trichy City.

4.The Superintendent,
Central Prison,
Tiruchirappalli.

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

+1 CC to M/s.C.SARAVANAKUMAR, Advocate (SR-11883[I] dated 27/09/2024)



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ORDER

IN

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Date :27/09/2024

ED/ /SAR- (27/09/2024) 5P / 7C

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