



CRL OP(MD). No.17266 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/10/2024

PRESENT

The Hon`ble Mr.Justice K. RAJASEKAR

CRL OP(MD). No.17266 of 2024

Madhubalan,

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Manapparai Police Station,
Trichy District.
Crime No. 456 of 2024.

... Respondent/Complainant

For Petitioner : Mr.M.Pitchai Muthu,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.456 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 25.09.2024 for the offence punishable under Section 123 of BNS and Sections 6 & 24(1) of Cigarette and other Tobacco Products Act, in Crime No.456 of 2024 on the file



CRL OP(MD). No.17266 of 2024

of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner was found in possession of 5.545 kgs of banned tobacco products. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that no previous case is pending against the petitioner and the petitioner is in custody from 25.09.2024. Hence, he seeks bail.

4. The learned Additional Public Prosecutor would submit that the petitioner was found in possession of 5.545 kgs of banned tobacco products. However, he fairly concedes that no previous case is pending against the petitioner.

5. Considering the period of incarceration and also considering the fact that no previous case is pending against the petitioner, this Court is inclined to grant bail to the petitioner on certain conditions.

6. 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.20,000/- (Rupees Twenty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Manapparai, 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



CRL OP(MD). No.17266 of 2024

card or Bank Pass Book to ensure their identity;

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(ii)the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

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

iv)the petitioner 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 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].

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

sd/-
09/10/2024

/ TRUE COPY /

09/10/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO
1 THE JUDICIAL MAGISTRATE,
MANAPPARAI, TRICHY DISTRICT.



CRL OP(MD). No.17266 of 2024

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

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

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

ORDER IN
CRL OP(MD) No.17266 of 2024
Date :09/10/2024

SA/SAR. /09.10.2024/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.