



CRL OP(MD)No.18030 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.18030 of 2024

Premalatha

... Petitioner/Petitoner/Sole Accused

Vs

The Inspector of Police,
K.V.Nallur Police Station,
Tenkasi District,
Crime No.384/2024.

... Respondent/Respondent/Complainant

For Petitioner : Mr.R.J.Karthick

Advocate.

For Respondent : Mr.R.M.Anbunithi,

Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.384/2024 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 is arrested and remanded to judicial custody on 13.10.2024 for the offence punishable under Sections 132, 351(2) 123 of BNS, 2023, and under Section 24(1) of Cigarette and Other Tobacco Products, Act, 2003, in Crime No.384 of 2024 on the file of the respondent police, seeks bail.

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

3.Heard the learned counsel on either side and perused the material records of the case.

4.Considering the nature of allegation in this case that the petitioner is said to have been in possession and selling the tobacco products in the small restaurant, which was run by her and considering the quantity of the products and only considering the fact that the petitioner does not have any bad antecedents and that she has two children, I am inclined to enlarge the petitioner on bail with certain conditions.



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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 District Munsif cum Judicial Magistrate Court, Sankarankovil;

(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 is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Court Penalty Fund, the Dean, Government Rajaji Hospital, Madurai, (Account No. 7097546149, IFSC Code: IDIB000T003, MICR Code: 525019008, Indian Bank, Tallakulam, Madurai), which shall be used for spreading of awareness against Tobacco products, without prejudice to her 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 one week and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

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(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 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/-
21/10/2024

/ TRUE COPY /

21/10/2024
Sub-Assistant Registrar (CS-III)
Madurai Bench of Madras High Court,
Madurai - 625 023.

jbr
TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE ,
SANKARANKOVIL;

<https://www.mhc.tn.gov.in/judis>



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TENKASI

3. THE OFFICER IN CHARGE, WOMEN PRISON,
KOKKIRAKULAM, TIRUNELVELI.

4. THE INSPECTOR OF POLICE,
K.V.NALLUR POLICE STATION,
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.R.J.KARTHICK, Advocate (SR-12817[I] dated 21/10/2024)

ORDER
IN

CRL OP(MD) No.18030 of 2024

Date :21/10/2024

RK(21/10/2024) 5P / 8C

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