



CRL OP(MD). No.18520 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.18520 of 2024

Kannan

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Palamedu Police Station,
Madurai District.
Crime No.222 of 2024.

... Respondent/Complainant

For Petitioner : M/s.Neelamegam.K, Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITIONS FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.222 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis> The petitioner/sole accused, who was arrested and remanded to judicial



CRL OP(MD). No.18520 of 2024

custody on 11.10.2024 for the offences under Sections 275 and 123 of BNS (hereinafter referred to as new penal code) and Sections 7, 20(b) of Cigarette and other Tobacco Products Act, 2003 and Sections 52 and 59 of the Food Safety and Standards Act, 2006 in Crime No.222 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of prohibited Tobacco products and nearly 6.5 kgs was recovered from the petitioner.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that there is one previous case against the petitioner for a similar offence.

4. The learned Counsel appearing for the petitioner submitted that the petitioner has already suffered incarceration from 11.10.2024 onwards and that a false case has been foisted against the petitioner.

5. Taking into consideration the facts and circumstances of the case and also considering the fact that the prohibited Tobacco products have already been seized and the petitioner has suffered incarceration from 11.10.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. Accordingly, the criminal original petition is ordered 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



CRL OP(MD). No.18520 of 2024

learned Judicial Magistrate, Vadipatti, Madurai District and on further conditions
that:-

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[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police every Friday at 06.30 p.m for a period of six weeks and thereafter, as and when required, except on the days when the case is posted for hearing before the trial Court.

[c] the petitioner shall appear before the trial Court during every hearing date without fail.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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].



CRL OP(MD). No.18520 of 2024

[g] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 229A IPC.

sd/-
06/11/2024

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06 / 11 / 2024

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

LR

TO

1 THE JUDICIAL MAGISTRATE
VADIPATTI, MADURAI DISTRICT.

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

3 THE OFFICER INCHARGE
SUB JAIL, USILAMPATTI, MADURAI DISTRICT.

4 THE INSPECTOR OF POLICE,
PALAMEDU POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to M/S.NEELAMEGAM.K Advocate SR.No.13632(I) dated 06/11/2024



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CRL OP(MD). No.18520 of 2024

ORDER
IN
CRL OP(MD) No.18520 of 2024
Date :06/11/2024

PSP/ /SAR /06.11.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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