



CRL OP(MD) No.18508 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). Nos.18508 and 20074 of 2024

Ayyanar @ Ramesh

... Petitioner/ Accused No.2
(in CRL OP(MD). No.18508 of 2024)

1.U.Dineshkumar,
S/o. Ulaganathan

2.K.Dineshkumar,
S/o. Kannan

... Petitioners / Accused Nos.1 & 3
(in CRL OP(MD). No.20074 of 2024)

Vs

The State of Tamil Nadu
rep by the Inspector of Police,
Elayirampannai Police Station,
Virudhunagar District.
Crime No. 129 of 2024.

... Respondent/ Complainant
(in both cases)

For Petitioner : M/s.S.Prabha, Advocate.
(in CRL OP(MD).No.18508 of 2024)

For Petitioners : Mr.K.Dinesh, Advocate.
(in CRL OP(MD).No.20074 of 2024)

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor (in both cases)



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COMMON PRAYER :-

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For Bail in Crime No. 129 of 2024 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners / Accused 1 to 3, who were arrested and remanded to judicial custody on 07.10.2024 for the offence under Sections 123 of BNS, 2023 and Sections 6 (b) and 24(1) of Cigarette and other Tobacco Products Act, 2003, in Crime No.129 of 2024, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 17.10.2024, the police party was on picketing duty and they found A2 coming in a bike and A1 and A3 driving a car and who were closely following A2. Considering the suspicious manner in which the accused persons were moving around, they were intercepted and the police party was able to recover 91 kgs of the banned tobacco products from the car.

3. The learned Additional Public Prosecutor (Criminal Side), on instructions, submitted that A1 has two previous cases, A2 has two previous cases, out of which, one case pertains to offence under the Prohibition Act for which he was convicted and A3 has two previous cases.

4. Heard the learned counsels on either side and perused the material records of the case.

5. Taking into consideration the facts and circumstances of the case and



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considering the fact that the entire banned tobacco products have been seized and the petitioners have suffered incarceration from 07.10.2024 onwards and taking note of the previous cases against the petitioners, this Court is inclined to grant bail to the petitioners subject to the following conditions.

6. Accordingly, the petitioners in both cases are ordered to be released on bail on their 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.I, Sattur, and on further conditions that:-

[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 petitioners shall report before the respondent Police on every Monday and Friday at 05.30 p.m until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] 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



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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

[f] If the accused thereafter absconds, a fresh FIR can be registered under
Section 269 of BNS, 2023.

sd/-
02/12/2024

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02 / 12 / 2024

Sub-Assistant Registrar (C.O.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL

TO

1 THE JUDICIAL MAGISTRATE
NO.I, SATTUR.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
ELAYIRAMPANNAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

4 THE OFFICER INCHARGE
DISTRICT PRISON, VIRUDHUNAGAR.

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



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ORDER
IN
CRL OP(MD). Nos.18508
and 20074 of 2024
Date :02/12/2024

PSP/ /SAR /02.12.2024/ 5P/ 8C

Madurai Bench of Madras High Court is issuing certified
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