



CRL OP(MD). No.19849 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19849 of 2024

Jiththenren @ Jitendra Kumar

... Petitioner / Accused No.3

Vs

The State of Tamil Nadu

Represented by the Inspector of Police,

Navalpattu Police Station,

Trichy District.

(Crime No.135 of 2024)

... Respondent/Complainant

For Petitioner : Mr.B.Micheal Sebastin,
Advocate

For Respondent : Mr.A.Albert James,
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No.135/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police

for the alleged offences under Sections 275, 123 of BNS, 2023, Sections 7(1), 24(1) of

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



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COTPA Act, 2003 and Section 77 of Juvenile Justice Act, 2015, in Crime No.135 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 and A2 were found in possession of 148.570 Kgs of banned tobacco products. They were arrested and the entire tobacco products were seized. Based on their confession, the petitioner (A3) was made as an accused.

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

4. The learned Government Advocate (Criminal Side), on instructions, submitted that there are two previous cases against the petitioner for similar offence.

5. Taking into consideration the facts and circumstances of the case and the age of the petitioner who is 19 years and also considering the fact that he has been roped in the case based on the confession of A1 and A2 and the entire banned tobacco products have been seized, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.3,

Trichy, Trichy District, on condition that the petitioner shall execute a bond for a



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sum of Rs.10,000/- (Rupees ten thousand only), with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] the petitioner and 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 daily at 05.30 p.m. until further orders;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the



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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]; and

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

sd/-
18/11/2024

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/ /2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. The Judicial Magistrate No.3,
Trichy,
Trichy District.
- 2.Do through
The Chief Judicial Magistrate,
Trichy District.
3. The Inspector of Police,
Navalpattu Police Station,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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ORDER
IN
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Date : 18.11.2024

SL(23.11.2024)/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.