



CRL OP(MD). No.19930 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.19930 of 2024

Krishnamoorthy

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Keelarajakularaman Police Station,
Virudhunagar Ditriect.
(Crime No.196 of 2024)

... Respondent/Complainant

For Petitioner : Mr.D.Rajaboopathy, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No.196/2024 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 123 of BNS and Sections 6(b) & 24(1) of COTPA Act, 2003, in Crime No.196 of 2024 on the file of the respondent police, seeks anticipatory bail.



CRL OP(MD). No.19930 of 2024

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2. The case of the prosecution is that the petitioner was in illegal possession of 208 packets of cool lips which is a banned tobacco product. Hence, the case.

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

4. Taking into consideration the facts and circumstances of the case and considering the fact that there are no previous cases against the petitioner and the entire banned tobacco products have been seized, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. 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, Rajapalayam, Virudhunagar District, on condition that the petitioner shall execute 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 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 10.30 a.m. for



CRL OP(MD). No.19930 of 2024

a period of 3 weeks and thereafter, as and when required for interrogation;

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[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 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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Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pal
TO

1 THE JUDICIAL MAGISTRATE, RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.

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



CRL OP(MD). No.19930 of 2024

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

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

+1 CC to M/s.D.RAJABOOPATHY, Advocate (SR-14156[I] dated 18/11/2024)

ORDER

IN

CRL OP(MD) No.19930 of 2024

Date :18/11/2024

RS//SAR-(27.11.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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