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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.20127 of 2024

Hari Ram,

... Petitioner/ Accused No.1

Vs

State of Tamil Nadu,
Rep By, The Inspector of Police,
Pattukkottai Town Police Station,
Thanjavur District.
Crime No.488/2024.

... Respondent/ Complainant

For Petitioner : Mr.K.Arunraj,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.488/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 25.08.2024 for the alleged offence under Sections 275 and 123 of BNS and

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



Sections 7(1) and 24(1) of Cigarettes and Other Tobacco Products Act, 2003, in Crime No.488 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons were found in possession of 596 Kgs banned tobacco products. There are totally 4 accused persons in this case and the petitioner has been arrayed as A1.

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 the petitioner has suffered incarceration from 25.08.2024 and the banned tobacco products have already been seized by the respondent police and A2 to A4, who are the relatives of the petitioner, are still absconding, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, out of which one surety shall be a blood relative, each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukkottai, 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 petitioner shall report before the respondent police daily at 10.30 a.m. and 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 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]**.

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

sd/-
20/11/2024

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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,
Pattukkottai.

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



2.Do Through,
The Chief Judicial Magistrate,
Thanjavur.

3.The Officer-in-Charge,
Sub Jail,
Thanjavur.

4.The Inspector of Police,
Pattukkottai Town Police Station,
Thanjavur District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.20127 of 2024
Date :20/11/2024

KVL/20.11.2024 4P/6C

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