



CRL OP(MD). No.20052 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Rajasekaran

... Petitioner/1st Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thanjavur East Police Station,
Thanjavur District.
Crime No. 923/2024..

... Respondent/Complainant

For Petitioner : Mr.K. M.Karunakaran

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 923 of 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 30.10.2024 for the alleged offences under Sections 123 of BNS r/w 5, 7(1),



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24(1) of Cigarette & other Tobacco Products Act, 2003, in Crime No.923 of 2024, on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the accused persons were found in possession of banned tobacco products totally weighing 117 kgs. There are totally 2 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. The learned Additional Public Prosecutor submitted that the entire tobacco products have been seized and that there is one previous case against the petitioner for creating nuisance.

5. Taking into consideration the facts and circumstances of the case and considering the fact that the banned tobacco products have already been seized and the petitioner has suffered incarceration from 30.10.2024 and taking note of the fact that there is one previous case pending against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:



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6. 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, each for a like sum to the satisfaction of the learned *Judicial Magistrate No.I, Thanjavur*, 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 on every Monday and Friday at 10.30 a.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



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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/-
03/12/2024

/ TRUE COPY /

03/12/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
THANJAVUR.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE,
SUB JAIL, THANJAVUR.
- 4 THE INSPECTOR OF POLICE,
THANJAVUR EAST POLICE STATION,
THANJAVUR DISTRICT.



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

ORDER
IN
CRL OP(MD) No.20052 of 2024
Date :03/12/2024

SS/SAR- /03/12/2024/ 5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023