



CRL OP(MD). No.20185 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 21/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.20185 of 2024

1. Velladurai,
2. Prabhu,,

... Petitioners/ Accused Nos.1 & 2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Sivagiri Police Station,
Tenkasi District.
(In Crime No. 333 of 2024).

... Respondent/Complainant

For Petitioners : Mr.D.Balamurugapandi,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITIONS FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 333 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners / Accused Nos.1 and 2, who were arrested and remanded to
judicial custody on 15.10.2024 for the offences under Section 24(1) of CAOTP Act,
2003 and 123 of BNS in Crime No.333 of 2024, on the file of the respondent Police,

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



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seek bail.

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2. The case of the prosecution is that the accused persons were found to possess illegal tobacco products weighing 69 kgs, which was purchased by them from Karnataka to be sold in the local area shops.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the tobacco products have already been seized and the petitioners have suffered incarceration from 15.10.2024 and there are no previous cases against the petitioners, this Court is inclined to grant bail to the petitioners subject to the following conditions.

5. Accordingly, the criminal original petition is ordered and the petitioners are ordered to be released on bail on 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 Magistrate Court, Sivagiri, Tenkasi District 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.



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[b] the petitioners shall report before the learned respondent Police daily at 05.30 p.m., for a period of three weeks and thereafter, as and when required for interrogation.

[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 petitioner in accordance with law as if the conditions have been imposed and the petitioners 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/-
21/11/2024

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21 / 11 /2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG



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TO

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1 THE JUDICIAL MAGISTRATE
SIVAGIRI, TENKASI DISTRICT.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI DISTRICT.

4 THE INSPECTOR OF POLICE,
SIVAGIRI POLICE STATION, TENKASI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.20185 of 2024

Date :21/11/2024

PSP/ /SAR /21.11.2024/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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