



CRL OP(MD). No.20940 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Jothilakshmi,

... Petitioner/ Sole Accused

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Saptur Police Station,
Madurai District.
(Crime No.188 of 2024)

... Respondent/Complainant

For Petitioner : Mr.P.Saravanan,
Advocate.

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

PETITIONS FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.188 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 12.11.2024 for the alleged offences under Sections 123 BNS 2023 r/w. 24(1)



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of COTPA Act, 2003 and Section 77 of Juvenile Justice Act, 2015, in Crime No.188 of 2024, on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 12.11.2024, the petitioner was found near the Government Higher Secondary School in possession of prohibited tobacco products with an intention to sell the same to the school children. Totally 35 kgs of tobacco products were seized from the petitioner.

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 entire tobacco products have been seized and there are no previous cases against the petitioner and the petitioner has suffered incarceration from 12.11.2024, 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 her 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 District Munsif -cum- Judicial Magistrate, Peraiyur, Madurai 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



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Book to ensure their identity.

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[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 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/-
02/12/2024

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02/ 12 /2024
Sub-Assistant Registrar (C.O.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL



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TO

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1 THE DISTRICT MUNSIF -CUM- JUDICIAL
MAGISTRATE, PERAIYUR, MADURAI DISTRICT.

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

3 THE INSPECTOR OF POLICE,
SAPTUR POLICE STATION, MADURAI DISTRICT.

4 THE SUPERINTENDENT
CENTRAL PRISON, SUB JAIL NILAKOTTAI, DINDIGUL DISTRICT.

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

+1. CC to M.VIJI Advocate SR.No.14784 (I) dated 02/12/2024

ORDER
IN

CRL OP(MD) No.20940 of 2024

Date :02/12/2024

PSP/ /SAR /02.12.2024/ 4P/ 7C

Madurai Bench of Madras High Court is issuing certified
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