



CRL OP(MD). No.21362 of 2024

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

Date : 13.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH
CRL OP(MD). No.21362 of 2024

Mahadevan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Mathichiyam Police Station,
Madurai City.
(Crime No.424 of 2024)

... Respondent/Complainant

For Petitioner : Mr.S.Poornachandran, Advocate.
For Respondent : Mr.S.Ravi, Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS,2023.

PRAYER :-

For Bail in Crime No.424 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 02.11.2024 for the alleged offences under Sections 6(a) and 24(1) of the Cigarette and Other Tobacco Products Act, 2003 read with Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015 in Crime No.424 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of

77 packets of prohibited tobacco products.

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



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3. The learned Additional Public Prosecutor submitted that there are 24 previous cases as against the petitioner, out of which, he has been convicted in 18 cases.

4. The learned counsel for the petitioner submitted that a false case has been foisted against the petitioner, and the petitioner has nothing to do with the alleged offence.

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

6. Taking into consideration the facts and circumstances of the case, and considering the fact that nearly 2 Kilograms of prohibited tobacco substances were involved in this case, and considering the fact that the petitioner has suffered incarceration from 02.11.2024, and also taking note of the fact that there are 24 previous cases against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7. 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 II, Madurai, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the



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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 appear before the learned Judicial Magistrate No.II, Madurai daily at 10.30 a.m. and also before the respondent police at 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/-
13/12/2024

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13/12/2024

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



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TO

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1 THE JUDICIAL MAGISTRATE NO.II, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE, MATHICHIYAM POLICE STATION,
MADURAI CITY.

4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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

ORDER
IN

CRL OP(MD) No.21362 of 2024

Date :13/12/2024

RS/IT/SAR-(13.12.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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