



CRL OP(MD). No.22147 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.22147 of 2024

1.Ramaram
2.Manohar

... Petitioners/ Accused Nos.1 & 2

Vs

The Inspector of Police,
Thuraiyur Police Station,
Trichy District.
(Crime No.284 of 2024)

... Respondent

For Petitioners : Mr.B.Dhanasekaran, Advocate.
For Respondent : Mr.S.Ravi, Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 284 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners / Accused 1 & 2, who were arrested and remanded to judicial custody on 28.10.2024 for the alleged offence under Sections 281, 123 of BNS r/w. Sections 6 and 24(1) of Cigarette and Other Tobacco Product Act, 2003, in Crime No.284 of 2024, on the file of the respondent police, seek bail.



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2. The case of the prosecution is that on 28.10.2024 at about 7.00 p.m., regular vehicle checkup was conducted and at that point of time, a Mahindra XUV car was intercepted and it was carrying 574 kgs of banned tobacco products. There are totally 3 accused persons in this case and the petitioners have been arrayed as A1 and A2. A3 is yet to be secured in this case.

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

4. The earlier bail petition filed by the petitioners was dismissed by this Court in Crl.OP(MD).No.20410 of 2024 by an order dated 25.11.2024 since the investigation was in the nascent stage. The petitioners have suffered incarceration from 28.10.2024. That apart, the banned tobacco products has also been seized along with the vehicle. In view of the same, this Court is inclined to grant bail to the petitioners subject to the following conditions:

5. Accordingly, the petitioners are ordered to be released on bail on their 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, Thuraiyur, 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 petitioners shall report before the respondent Police daily at 10.30 a.m. until further orders.

[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 petitioners 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/-
20/12/2024

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20/12/2024

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

pal

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TO

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1 THE JUDICIAL MAGISTRATE, THURAIYUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE, THURAIYUR POLICE STATION,
TRICHY DISTRICT.

4 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

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

+1 CC to M/s.DR.R.ALAGUMANI, Advocate (SR-15838[I] dated 20/12/2024)

ORDER

IN

CRL OP(MD) No.22147 of 2024

Date :20/12/2024

RS//SAR-(20.12.2024) 4P 7C

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