



CRL OP(MD). No.21562 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.21562 of 2024

1. Arikrishnan
2. Kannan

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Vasudevanallur Police Station,
Crime No.288/2024.

... Respondent/Complainant

For Petitioners : Mr.R.J.Karthick, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.288/2024 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 19.11.2024 for the offences under Section 24(1) of Cigarette and Other Tobacco Products Act, 2003 and Section 132 of the BNSS, 2023 in Crime No.288 of 2024 on the file of the respondent Police, seek bail.



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2. The case of the prosecution is that the accused persons were found in possession of 22.500 kgs of banned tobacco products. There are totally two accused persons in this case and both of them are before this Court.

3. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioners have suffered incarceration from 19.11.2024 and the entire tobacco products have been seized and taking note of the fact that there is one previous case against Accused No.1 and there are no previous cases against Accused No.2, 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 Judicial Magistrate, Sivagiri 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 respondent police every Friday at 05.30 p.m. for a period of six 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 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 BNSS, 2023.

sd/-
09/12/2024

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09/12/2024

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.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, VASUDEVANALLUR POLICE STATION,
VASUDEVANALLUR.

4 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI.

5 THE OFFICER INCHARGE, SUB JAIL, TENKASI.

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

ORDER

IN

CRL OP(MD) No.21562 of 2024

Date :09/12/2024

RS/IT/SAR-(09.12.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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