



CRL OP(MD). No.22654 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

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Balamurugan,

... Petitioner / Accused No.1

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Koodal Pudur Police Station,
Madurai City.
(Crime No.792 of 2024)

... Respondent / Complainant

For Petitioner : M/s.R.Rajalakshmi,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.792 of 2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 06.11.2024 for the alleged offences under Section 24(1) of the Cigarette and other Tobacco Products Act, 2003 and Section 123 of the BNS, 2023, in Crime No.792 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that during a regular patrol duty, a car was intercepted and on being checked, the car was found to be carrying 82 kgs of banned tobacco products. There are totally 3 accused persons in this case and the petitioner has been arrayed as A1.

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 banned tobacco products have been seized and the petitioner has suffered incarceration from 06.11.2024 and taking note of the 7 previous cases against the petitioner, out of which, 1 case is of the same nature, this



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Court is inclined to grant bail to the petitioner subject to the following conditions:

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5. 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 No.IV, Madurai, 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.

[b] the petitioner shall report before the respondent police on every Monday, Wednesday and Friday at 10.30 a.m. for a period of 4 weeks and thereafter, as and when required.

[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.



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[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/-
20/12/2024

/ TRUE COPY /

20/12/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL

TO

1 THE JUDICIAL MAGISTRATE NO.IV
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.



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3 THE INSPECTOR OF POLICE,
KODAL PUDUR 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.22654 of 2024

Date :20/12/2024

SA/SAR- /20/12/2024/ 5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023