



CRL OP(MD). No.23035 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/12/2024

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.23035 of 2024

Lakshmi,
W/o.Lakshmanan

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Samayanallur Police Station,
Madurai District.
(Crime No.308 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.A.B.Jeeva,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.308/2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/ A2, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 123, 274 and 275 of BNS, 2023 in Crime No.308 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant, who used to consume tobacco products, has bought a Cool-Lip Tobacco packet from the petitioner's husband. After consuming the same, he was affected with some health issues and took medical treatment. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is only the wife of the 1st accused, and is an innocent person, and is no way connected with the alleged occurrence.

4. The learned Government Advocate (Crl. Side) would submit that there are totally two accused in this case and the petitioner has been arrayed as A2. Already the main accused/ A1 was arrested and 30 packs of Cool-Lip were recovered from him. There are no previous cases as against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.



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5. Heard both sides, and perused the materials available on record.

6. Considering the representations made by the learned counsel on either side, and considering the nature of offences charged against the petitioner, there are no previous cases as against the petitioner, and considering the fact that already the co-accused was arrested and the entire contraband was also recovered, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to execute 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, Vadipatti, Madurai District.

[b] the petitioner shall report before the respondent police daily at 10.00 A.M. for a period of thirty days and thereafter, as and when required for the interrogation.

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.



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[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

sd/-
27/12/2024

/ TRUE COPY /

/01/2025

Sub-Assistant Registrar (CS-I / II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

cm/mkn

TO
1.THE JUDICIAL MAGISTRATE, VADIPATTI, MADURAI DISTRICT.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

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

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

ORDER
IN
CRL OP(MD) No.23035 of 2024
Date :27/12/2024

RK/SKN (02/01/2025) 5P / 5C

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