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CRL.O.P.(MD)No.1915 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

[Criminal Jurisdiction]

Date : 30.01.2025

PRESENT

THE HON`BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.1915 of 2025

Abdul Rasak @ Rajamohammed

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu

The State:

Rep. by Inspector of Police,
Manamelkudi Police Station,
Pudukkottai Distict.
(Crime No.1 of 2025)

... Respondent/Complainant

For petitioner : Mr.D.Rameshkumar,

Advocate

For Respondent : Mr.S.Ravi,

Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS, 2023

PRAYER :- For Bail in Crime No.1 of 2025 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 07.01.2025 for the alleged offences under Sections 286 and 123 of BNS, 2023 r/w. Sections 6(a) and 24(1) of the Cigarette and other Tobacco Act, 2003, in

Crime No.1 of 2025, on the file of the respondent police, seek bail.

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



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2. The case of the prosecution is that the petitioner was found in possession of banned tobacco products to the tune of 33 ½ kgs.

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 tobacco products have been seized along with vehicle and considering the fact that the petitioner has suffered incarceration from 07.01.2025 and taking note of the fact that there are 2 previous cases against the petitioner, out of which one case is of similar nature, this Court is inclined to grant bail to the petitioner subject to the following conditions:

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, Manamelkudi, Pudukottai District 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 and Friday at 10.30 a.m., for a period of 6 weeks and thereafter, as and when required



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for interrogation.

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[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/-
30/01/2025

/ TRUE COPY /

30/01/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

JEN
TO
1 THE JUDICIAL MAGISTRATE,
MANAMELKUDI, PUDUKKOTTAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, PUDUKKOTTAI DISTRICT.



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3 THE OFFICER INCHARGE,
SUB JAIL, ARANTHANGI.

4 THE INSPECTOR OF POLICE,
MANAMELKUDI POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.1915 of 2025
Date :30/01/2025

SA/SAR. /30.01.2025/4P/6C

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