



CRL OP(MD). No.1935 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.1935 of 2025

Umar Suthir Ahamed

... Petitioner/ Accused No.4

Vs

The Inspector of Police,
South Gate Police Station,
Madurai City.
Crime No.29 of 2025.

... Respondent/ Complainant

For Petitioner : Mr.T.Balakrishnan, Advocate
For Respondent : Mr.S.Ravi, Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.29 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A4, who was arrested and remanded to judicial custody on 19.01.2025 for the offences under Sections 24(1) of COTPA Act 2003 and 123 of BNS (hereinafter referred to as new penal code) in Crime No.29 of 2025 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that A1 to A3 were found in possession of 200 Kg of banned tobacco products. Based on their confession, the petitioner was arrayed as an accused (A4).



CRL OP(MD). No.1935 of 2025

3. Heard the learned Counsel appearing on either side.

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4. Taking into consideration the facts and circumstances of the case and considering the fact that this petitioner was sought to be made as an accused in another case, in which, this Court had granted anticipatory bail and also taking note of the fact that the petitioner has been made as an accused only based on the confession of A1 to A3, who were actually found in possession of the banned tobacco products and also considering the fact that the petitioner has already suffered incarceration from 19.01.2025, this Court is inclined to grant bail to the petitioner subject to the following conditions.

5. Accordingly, the criminal original petition is ordered and the petitioner is ordered to be released on bail on 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 learned Judicial Magistrate No.IV, Madurai every Tuesday and Thursday at 10.30 a.m for a period of six weeks and thereafter appear before the respondent police as and when required for



CRL OP(MD). No.1935 of 2025

interrogation.

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[c] the petitioner shall appear before the trial Court during every hearing date without fail.

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

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

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS 2023.

sd/-
31/01/2025

/ TRUE COPY /

31/01/2025

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

LR



CRL OP(MD). No.1935 of 2025

TO

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1 THE JUDICIAL MAGISTRATE NO.IV, MADURAI.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE, SOUTH GATE POLICE STATION,
MADURAI CITY, MADURAI.

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

+1 CC to M/s.T.BALAKRISHNAN, Advocate (SR-1255[I] dated 31/01/2025)

ORDER

IN

CRL OP(MD) No.1935 of 2025

Date :31/01/2025

RS/IT/SAR-(31.01.2025) 4P 7C

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