



CRL OP(MD). No.22446 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.22446 of 2024

Vaseekaran,

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep by the Sub Inspector of Police,
Kulasekarapattinam Police Station,
Thoothukudi District.
(Ref. Crime No.279 of 2024).

... Respondent/Complainant

For Petitioner : Mr.M.Murali,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail Crime No.279 of 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 / Accused No.1, who was arrested and remanded to judicial custody on 24.11.2024 for offences under Sections 6(b) and 24(1) of the Cigarette and Other Tobacco Products Act, 2003 and Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015 in Crime No.279 of 2024, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the accused persons were found in possession of 149 kgs of banned tobacco products and it was transported in an auto rickshaw belonging to A3. There are totally three accused in this case and the petitioner has been arrayed as Accused No.1.

3. This is the second bail application filed by the petitioner and the earlier bail application filed by the petitioner in CrI.O.P.(MD).No.21821 of 2024 was dismissed by this Court by an order dated 11.12.2024 considering the previous antecedents of the petitioner. The present bail application has been filed on the ground that the investigation is yet to be completed and no police report has been filed and the



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petitioner has suffered incarceration for nearly 60 days.

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4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

5. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner has suffered incarceration from 24.11.2024 and the investigation is still pending before the respondent Police and no Police report has been filed, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. 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, Thiruchendur 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 05.30 p.m. for a period of 8 weeks and thereafter, as and when required.



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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/-
23/01/2025

/ TRUE COPY /

23/01/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1 THE JUDICIAL MAGISTRATE
THIRUCHENDUR.



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, SRIVAIKUNDAM.

4 THE SUB INSPECTOR OF POLICE,
KULASEKARAPATTINAM POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.M.MURALI, Advocate (SR-725[I] dated 23/01/2025)

ORDER
IN

CRL OP(MD) No.22446 of 2024
Date :23/01/2025

SS/SAR- /23/01/2025/ 5P/7C

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