



CRL OP(MD). No.22698 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.22698 of 2024

1. C.Saravanan

2. K.Bharathidasan

... Petitioners/ Accused Nos.1 & 2

Vs

The Inspector of Police,

Musiri Police Station,

Trichy District.

Crime No.345 of 2024

... Respondent/Complainant

For Petitioners : Mr.R.Maheswaran, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.345 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners / Accused Nos.1 and 2, who were arrested and remanded to judicial custody on 08.12.2024 for the offences under Sections 275 and 123 of BNS r/w. Sections 6 and 24(1) of Cigarette and Other Tobacco Products Act in Crime No.345 of 2024 on the file of the respondent Police, seek bail.

2. The case of the prosecution is that the accused persons were found in possession of banned tobacco products to the tune of 76 kgs. There are totally five accused persons in this case and the petitioners have been arrayed as Accused Nos.1



CRL OP(MD). No.22698 of 2024

and 2.

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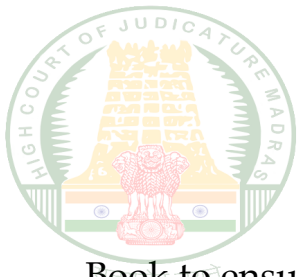
3. The learned Additional Public Prosecutor appearing for the respondent Police submitted that Accused No.1 has three previous cases and Accused No.2 has two previous cases, out of which, one case is of similar nature. He further submitted that Accused No.5 is absconding and he is yet to be secured.

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

5. 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 vehicle has also been seized and taking note of the fact that the petitioners have suffered incarceration in this case from 08.12.2024 and also taking note of the previous cases against the petitioners, this Court is inclined to grant bail to the petitioners subject to the following conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each, with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Musiri, Trichy 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



CRL OP(MD). No.22698 of 2024

Book to ensure their identity.

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[b] the petitioners shall report before the respondent Police every Monday and Friday at 10.30 a.m. until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
07/01/2025

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07/01/2025

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

TSG



CRL OP(MD). No.22698 of 2024

TO
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1 THE JUDICIAL MAGISTRATE, MUSIRI, TRICHY DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE OFFICER INCHARGE, SUB JAIL, MUSIRI.

4 THE INSPECTOR OF POLICE, MUSIRI POLICE STATION,
TRICHY DISTRICT.

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

ORDER
IN

CRL OP(MD) No.22698 of 2024

Date :07/01/2025

RS/IT/SAR-(07.01.2025) 4P 6C

Madurai Bench of Madras High Court is issuing
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