



CRL OP(MD). No.22875 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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M. Annasamy

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Thalavaipuram Police Station,
Virudhunagar District.
(Crime No. 343 of 2024).

... Respondent/ Complainant

For Petitioner : Mr.R.J.Karthick, Advocate

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

PETITIONS FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.343 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on

16.11.2024 for the offences under Section 123 of BNS (hereinafter referred to as new

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



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penal code) r/w Sections 6(b) and 24(1) COTP Act in Crime No.343 of 2024 on the file
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of the respondent police, seeks bail.

2. The case of the prosecution is that on 16.11.2024, during a regular police picketing, the accused persons were found in possession of banned Tobacco products to the tune of 134 Kg. There are totally two accused persons in this case and the petitioner has been arrayed as A1.

3.The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner has 10 previous cases against him, which are similar in nature, out of which, in two cases he was convicted. In view of the same, the learned Additional Public Prosecutor vehemently opposed the grant of bail to the petitioner.

4. The learned Counsel appearing for the petitioner submitted that the petitioner has suffered incarceration from 16.11.2024 and that a false case has been foisted against the petitioner and that the petitioner will comply with any condition imposed by this Court, if he is enlarged on bail.

5. Taking into consideration the facts and circumstances of the case and considering the fact that this petitioner has already suffered incarceration from 16.11.2024 and the entire banned tobacco products have already been seized and taking note of the previous cases against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions.



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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, Rajapalayam 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 daily at 10.30 a.m until further orders.

[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].



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[g] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 269 BNS 2023.

sd/-
02/01/2025

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02 / 01 /2025

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

LR

TO

1 THE JUDICIAL MAGISTRATE
RAJAPALAYAM.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE,
THALAVAIPURAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER
IN

CRL OP(MD) No.22875 of 2024

Date :02/01/2025



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PSP/ /SAR /02.01.2025/ 5P/ 6C

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