

**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,
PERAMBALUR.**

**Present: Tmt.S. Subadevi, B.A., B.L.,M.B.A.,
Principal District and Sessions Judge,
Perambalur.**

**Tuesday, this the 07th day of July, 2020.
E. Bail No.290/2020,**

Ayyanar, 21/2020,
S/o.Vishwanathan,
Alambadi Road,
Perambalur.

... Petitioner/Accused.

-vs-

Represented by the Inspector of Police,
Perambalur P.S.
Cr.No.1632/2020.
Offence U/S.302 IPC.

... Respondent/Complainant.

This petition coming on this day before me for order in the form of e-bail by Thiru.R.Thirumalai, Advocate for the petitioner and the Public Prosecutor for the State and upon hearing for them, this Court has delivered the following...

ORDER

This petition has been filed U/s 439 of Cr.P.C. for grant of bail to the petitioner for the offence U/S.302 IPC.

2. The learned Counsel for the petitioner stated in his petition that the alleged date of occurrence was on 07.06.2020 and FIR was registered on the same day and the petitioner was remanded on 09.06.2020 and the petitioner is no way connected with the offence and the petitioner name was not found in the FIR and as per the confession statement of A1, the petitioner was arrested. He would further stated that the earlier bail application was dismissed by this Court in E-Bail No.226/2020 dated 24.06.2020 and the investigation is almost over and interrogation

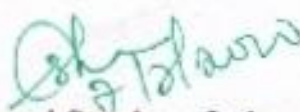
of the accused in judicial custody also over and if he is released on bail, he will be ready to furnish sufficient sureties and he will abide the conditions which are imposed by this Court and he will not abscond or tamper the witness or evade justice in any manner and undertake to pay the court fee and he has not filed any bail application before the Hon'ble High Court of Madras and hence the accused is seeking for bail.

3. The petitioner's Counsel argued that the name of the accused not found in the FIR only based on the confession of the co-accused, the accused name has been included in this case. Even in the complaint, the accused name has not been mentioned by the complainant. Further the mother of the accused admitted in hospital and for supporting medical documents has been filed.

4. The learned Public Prosecutor argued that the petitioner accompanied with the accused at the time of occurrence, investigation is not yet completed. Furthermore, the mother of the accused though she was in hospital, the husband and son available for taking care and strongly opposed for granting bail.

5. A careful perusal of the documents and rival submissions put forth by the Counsels, the case has been registered on 07.06.2020 and the accused was remanded on 09.06.2020. The petitioner filed documents that the accused mother was admitted in hospital and taking care of the mother of the accused hence bail may be granted. The learned Public Prosecutor strongly objected that the father and brothers are available. Based on the co-accused confession, this accused was arrested and investigation is not yet completed. Considering the above, this Court is not inclined to grant bail hence this petition is dismissed.

Pronounced by me and sent through email, this the 07th day of July, 2020.


Principal District and Sessions Judge,
Perambalur.

**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,
PERAMBALUR.**

**Present: Tmt.S. Subadevi, B.A., B.L.,M.B.A.,
Principal District and Sessions Judge,
Perambalur.**

**Tuesday, this the 07th day of July, 2020.
E. Bail No.293/2020.**

1. Rajan, 32/2020, (A-1),
S/o.Poomalai,
Middle Street,
Pilimisai Village,
Alathur Tk., Perambalur Dt.
2. Silambarasan, 31/2020, (A-2),
S/o.Mathiyazhagan,
East Street,
Pilimisai Village,
Alathur Tk., Perambalur Dt.
3. Maruthairajan, 36/2020, (A-3),
S/o.Maruthamuthu,
East Street,
Eluppaikudi Village,
Alathur Tk., Perambalur Dt.
4. Govindharasu, 32/2020, (A-4),
S/o.Pazhanimuthu,
North Street,
Pilimisai Village,
Alathur Tk., Perambalur Dt.

... Petitioners/Accused.

-vs-

Represented by the Inspector of Police,
Maruvathur P.S.
Cr.No.907/2020.

... Respondent/Complainant.

Offence U/S.20(1) Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce Production Supply and Distribution) Act, 2003 and 269, 328 IPC.

This petition coming on this day before me for order in the form of e-bail by Thiruvallargal. P.Kaviyarasu and M.Sathiyamoorthi, Advocates for the petitioners and the Public Prosecutor for the State and upon hearing for them, this Court has delivered the following...

ORDER

This petition has been filed U/s 439 of Cr.P.C. for grant of bail to the petitioners for the offence U/S.20(1)Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce Production Supply and Distribution) Act, 2003 and 269, 328 IPC.

2. The learned Counsel for the petitioners stated in his petition that the alleged date of occurrence was on 01.07.2020 and FIR was registered on the same day and the petitioners/accused were remanded on 01.07.2020 and the petitioners are no way connected with the case and their name was falsely implicated in this case and if they are released on bail, they will be ready to furnish sufficient sureties and they will abide the conditions which are imposed by this Court and they will not abscond or tamper the witness or evade justice in any manner and undertake to pay the court fee and they have not filed any bail application before the Hon'ble High Court of Madras and hence the accused are seeking for bail.

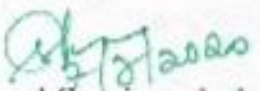
3. The petitioners Counsel argued that Section 20(1)Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce Production Supply and Distribution) Act, 2003 and 328 IPC are bailable offence, A2 to A4 have not committed any offence and the petitioners are in judicial custody for the past 7 days and prayed for granting bail.

4. The learned Public Prosecutor argued that the 1st petitioner selling the fertilizer along with 2 gunny bags and hans pockets which are banned by the State

Government and RP number has been given and pending for chemical analysis report. Further the accused A2 to A4 are purchased from A1 and sold in the outside and strongly opposed for granting bail.

5. Considering the submission made by Counsels. Huge quantity of Tobacco Products recovered and pending for chemical analysis report. The investigation is very earlier stage. Hence this Court is not inclined to grant bail at this stage and this petition is dismissed.

Pronounced by me and sent through email, this the 07th day of July, 2020.


Principal District and Sessions Judge,
Perambalur.

**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,
PERAMBALUR.**

**Present: Tmt.S. Subadevi, B.A., B.L.,M.B.A.,
Principal District and Sessions Judge,
Perambalur.**

Tuesday, this the 07th day of July, 2020.

E. Bail No.296/2020

& ஸ்ரீ

Intervene Petition No.633/2020 in E. Bail No.296/2020.

Giri,31/2020,
S/o.Krishnan,
Mangalam Village,
Ranjangudi Post,
Veppanthattai Tk.,
Perambalur District.

... Petitioner/Accused.

-VS-

Represented by the Inspector of Police,
Mangalamedu P.S.
Cr.No.173/2019.
Offence U/S.376 and 417 IPC.

... Respondent/Complainant.

Intervene Petition No.633/2020 in E. Bail No.296/2020.

Giri,31/2020,
S/o.Krishnan,
Mangalam Village,
Ranjangudi Post,
Veppanthattai Tk.,
Perambalur District.

... Petitioner/Accused.

-VS-

Represented by the Inspector of Police,
Mangalamedu P.S.
Cr.No.173/2019.

... Respondent/Complainant.

Jayalakshmi,
D/o.(l.) Sithathi,
Mangalam Village,
Ranjangudi Post,
Veppanthattai Tk.,
Perambalur District.

... Defacto Complainant/Victim.

This petition coming on this day before me for order in the form of e-bail by Thiruvargal.M.Selvarajan and P.Shanmugasundaram, Advocates for the petitioner and Thiru.G.Subash Chandrabose, Advocate for the intervener and the Public Prosecutor for the State and upon hearing for them, this Court has delivered the following...

ORDER

This petition has been filed U/s 439 of Cr.P.C. for grant of bail to the petitioner for the offence U/S.376 and 417 IPC.

2. The learned Counsel for the petitioner stated in his petition that the alleged date of occurrence was on 24.05.2019 and FIR was registered on 12.06.2019 and the petitioner was remanded on 01.07.2020. On the compulsion of the parents of the defacto complainant, she gave a false complaint against the petitioner and the petitioner is no way connected with the case and he has not committed the alleged offence and if he is released on bail, he will be ready to furnish sufficient sureties and he will abide the conditions which are imposed by this Court and he will not abscond or tamper the witness or evade justice in any manner and undertake to pay the court fee and he has not filed any bail application before the Hon'ble High Court of Madras and hence the accused is seeking for bail.

3. The petitioner's Counsel argued that the occurrence took place on 24.05.2019 and the accused was remanded on 01.07.2020 after one year the petitioner has been arrested and false case has been registered against the petitioner with the compulsion of the parents of the defacto complainant.

4. The learned Public Prosecutor argued that 164 Cr.P.C. statement to be recorded and also the medical test of the accused to be done and investigation is very earlier stage and strongly opposed for granting bail.

5. Intervener filed a petition stating that both had love affair and married in the year 2019 May in Anchaneyar Temple as per Hindu riots and they are living together and also stated that on the force of her parents and relatives, she signed in the white paper and the same has been utilized and denied all the averments in the complaint and requesting cancellation of registering the case.

6. On perusal of C.D. file, the complaint gave by the defacto complainant/intervener, on 07.02.2020 the marriage was fixed and marriage invitation has been attached in the C.D. file. The intervener has stated that they are living together and falsely gave a complaint against the petitioner. The objections raised by the learned Public Prosecutor that medical examination to be done for the accused. Considering the same, this Court is inclined to grant bail on conditions:

Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Additional Mahila Court, Perambalur and on further condition 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 10.00 a.m. until further orders.

(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 petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Pronounced by me and sent through email, this the 07th day of July, 2020.


Principal District and Sessions Judge,
Perambalur.

COPY TO:

1. The Judicial Magistrate, Additional Mahila Court, Perambalur.
2. The Public Prosecutor, Perambalur.
3. The Inspector of Police, Mangalamedu P.S.
4. The Advocate for the petitioner.