

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twentieth day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.20333 of 2018

SAFEEQ RAHMAN,

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE, [RESPONDENT]
J-5, SHASTRI NAGAR POLICE STATION,
ADYAR, CHENNAI-600 020.
CR.NO.969 OF 2018.

For Petitioner : M/S.K.A.MARIAPPAN Advocate

For Respondent : MR. C.IYYAPPARAJ, ADDL. PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner was arrested on 04.08.2018 for the offence under Section 328, 353 IPC and Section 20 (2) of COTP Act in Cr.No.969 of 2018 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of tobacco products worth about Rs.40,000/-. Hence, the respondent police registered the case against the petitioner.

3.The learned counsel appearing for the petitioner would submit that the petitioner is ready to deposit any amount that is to be fixed by this Court as condition.

4.The learned Additional Public Prosecutor submits that tobacco products worth about Rs.40,000/- were seized from the petitioner and would further submit that there is no previous case against the petitioner.

5.Considering the fact that there is no previous case against the petitioner, I am inclined to grant bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned IX
<https://services.e-courts.gov.in/services/>ate, Saidapet, Chennai and on further condition

that:

(a) the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) directly to the Adyar Cancer Institute (WIA), Adyar, Chennai and shall also deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) directly to the Chief Justice Relief Fund, High Court of Madras, Chennai. The receipt of such payments shall be produced at the time of executing the bond.

(b) 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;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

(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]**; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

20/08/2018

This order, on being produced, be punctually observed and carried into execution by all concerned.

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE METROPOLITAN MAGISTRATE,
NO.IX, SAIDAPET, CHENNAI.

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI.

<https://hcservices.ecourts.gov.in/hcservices/>
[FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
J-5, SHASTRI NAGAR POLICE STATION, ADYAR,
CHENNAI-600 020.

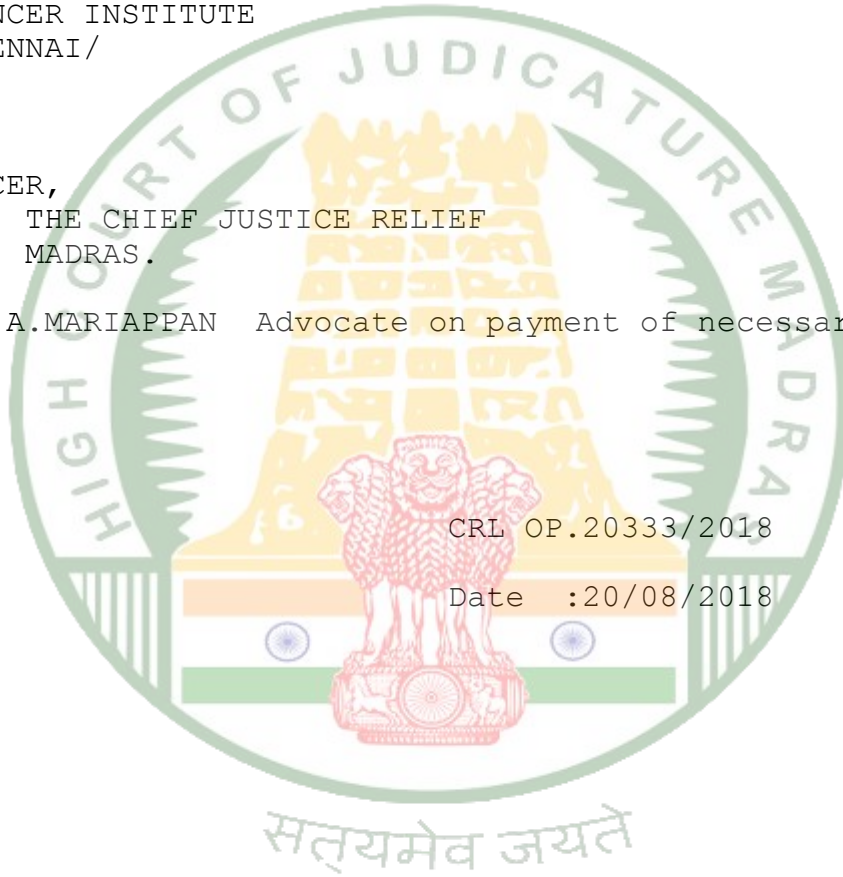
6 THE ADYAR CANCER INSTITUTE
(WIA), ADYAR, CHENNAI/

COPY TO

THE SECTION OFFICER,
ACCOUNTS SECTION, THE CHIEF JUSTICE RELIEF
FUND, HIGH COURT, MADRAS.

CC to M/S.K.A.MARIAPPAN Advocate on payment of necessary
charges

THS : 20.08.2018



CRL OP.20333/2018

Date :20/08/2018

WEB COPY