

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL ORIGINAL PETITION No.16542 of 2018

THALAPATHI MURUGESH @ [PETITIONER / ACCUSED]
THALAPATHI MURUGESAN @ MURUGESAN,

Vs

STATE REP.BY ITS [RESPONDENT]
INSPECTOR OF POLICE,
SULUR POLICE STATION,
COIMBATORE DISTRICT.
CR.NO.341 OF 2018

For Petitioner : M/S.R.GANESH KUMAR Advocate

For Respondent : MR. R.SURYA PRAKASH, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

Heard both sides.

2. The petitioner/A6 was arrested on 10.05.2018 for the alleged offences punishable under Sections 7 and 20(1) of the Cigarette and Other Tobacco Products Act 2003 and Sections 273, 328, read with 120 (B) of I.P.C in Crime No.341 of 2018 on the file of the respondent police, seeks bail.

3. The learned counsel for the petitioner submitted that A2,A3,A4 and A5 have been granted bail in Crl.O.P.Nos.15941 and 15942 of 2018 on 25.06.2018 by this Court. He further submitted that the petitioner is in custody for more than 50 days and hence, he may be released on bail.

4. The learned Government Advocate (Crl.Side) submitted that A1 who is the owner of the mill is still absconding and A7,A8 and A9 who are owners of the vehicle are still absconding and hence opposed for grant of bail to the petitioner.

5. Considering the facts and circumstances of the case and also taking note of the fact that the co-accused with similar overtact, have been granted bail and also taking note of the fact that he is in custody for more than 50 days, this Court is inclined to grant the relief of bail to the petitioner.

6. Accordingly, it is ordered that the petitioner shall be released on bail, subject to the following conditions:-

(i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a likesum to the satisfaction of the learned Judicial Magistrate, Sulur.

(ii) the petitioner shall appear before the respondent police daily at 10.30 a.m. and 5.00 p.m. for a period of two weeks and thereafter, as and when required for interrogation.

(iii) the petitioner shall not tamper with evidence or witness during trial.

(iv) the petitioner shall not abscond during trial

(v) on breach of any of the aforesaid conditions, the learned Trial Judge 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 Trial Judge himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs.State of Kerala [(2005) AIR SCW 5560]

(vi) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A I.P.C

-sd/-

28/06/2018

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 JUDICIAL MAGISTRATE,
SULUR.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
SULUR POLICE STATION,
COIMBATORE DISTRICT.

+1 CC to M/S.R.GANESH KUMAR Advocate on payment of necessary
charges-Sr.11773

CRL OP.16542/2018

Date :28/06/2018

ths : 28.06.2018