



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.12980 of 2021

SagulAmeed

... Petitioner

Vs.

The State

Rep. by Inspector of Police,
Minjur Police Station,
Chennai.

(Crime No.512 of 2021)

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioner on bail in Crime No.512 of 2021 on the file of the respondent police.

For Petitioner : Mr.M.I.Javid Akbar

For Respondent : Mr.A.Gopinath
Government Advocate (CrI. Side)

O R D E R

The petitioner who was arrested on 05.07.2021 for the offence under Sections 294(b), 353 of IPC r/w. Sections 7 and 24(1) of Cigarette and Other Tobacco Products Act, 2003 in Crime No.512 of 2021 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the petitioner is alleged to have been found in possession of 350 Kgs. of tobacco products.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. The learned counsel, on instructions, further submitted that the petitioner is ready to deposit a sum of Rs.50,000/- to the Adyar Cancer Institute, Chennai.

4.The learned Government Advocate (Criminal Side) submitted that there is no previous case as against the petitioner.

5.Considering the factthat there is no previous case as 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 Judicial Magistrate-II, Ponneri and on further condition that:

(a) the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand Only) through demand draft drawn in favour of the Director, Adyar Cancer Institute (WIA), W Canal Bank Road, Gandhi Nagar, Adyar, Chennai - 600 020. The challan/ receipt of such payment 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 petitioners 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/-
28/07/2021

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 NO.II,
PONNERI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE OFFICER INCHARGE,
SUB-JAIL, PONNERI.

4 THE INSPECTOR OF POLICE,
MINJUR POLICE STATION,
CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE DIRECTOR,
ADYAR CANCER INSTITUTE (WIA),
W CANAL BANK ROAD,
GANDHI NAGAR, ADYAR,
CHENNAI - 600 020.

+1CC to M/S M.I.JAVID AKBAR Advocate on payment of necessary
charges SR NO.7810

CRL OP.12980/2021

Date :28/07/2021

MK:29/07/2021