



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.17627 of 2021

Saravanan

... Petitioner

Vs.

State.rep by,
The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi District.
(Crime No.1144 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioner on bail pending investigation in Crime No.1144 of 2021 on the file of the respondent police.

For Petitioner : Mr.A. Saravanan

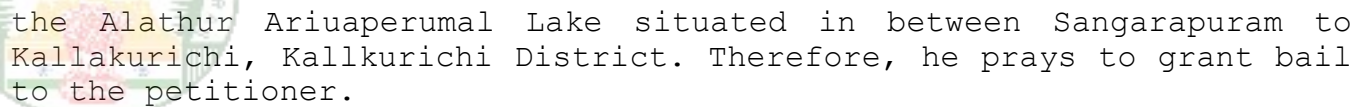
For Respondent : Mr.A.Gopinath
Government Advocate (Crl side)

ORDER

The petitioner who was arrested on 26.08.2021 and remanded to judicial custody for the offences punishable under Section 273, 294(b), 328, 324, 353, 307 and 506(2) of I.P.C r/w Section 24(1) of Cigarettee and other Tobacco Products Act, 2003, in Crime No.1144 of 2021 on the file of the respondent police, seek bail.

2. . The case of the prosecution is that when the respondent police was on regular checkup they found that the petitioner along with other accused persons was found in illegal possession of 902 pockets of Hans, which is a banned Tobacco product. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case and the petitioner has been in jail from 26.08.2021 . He further submits that there are 4 previous cases pending against the petitioner. However, on instructions, the learned counsel further submits that the petitioner, without prejudice his rights, on his own volition, is ready to deposit an amount of RS.1,00,000/- for the purpose of desilting and renovating



5. Considering the period of incarceration suffered by the petitioner , this Court is inclined to grant bail to the petitioner subject to the following conditions:

(a) as undertaken by the petitioner on his own volition, the petitioner shall make a non refundable deposit of 1,00,000/- by way of demand draft drawn in favour of Kallkurichi Collector for the purpose of maintaining Alathur Ariuaperumal Lake situated at Kallakurichi, Kallkurichi District, without prejudice to his defence before the trial Court and submit the proof of payment of the said amount before the aforesaid learned Judicial Magistrate, who after perusing the challan/ receipt/acknowledgment, shall accept the sureties furnished by the petitioner;

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

(e) the petitioner shall not abscond either during investigation or trial;

<https://hcservices.ecourts.gov.in/hcservices/>



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

WEB COPY

-sd/-

04/10/2021

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,
KALLAKURICHI, VILLUPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
KALLAKURICHI POLICE STATION,
KALLAKURICHI DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, THIRUKOVILUR.

5 THE TAHSILDAR,
KALLAKURICHI DISTRICT.

6 THE COLLECTOR,
KALLAKURICHI DISTRICT.

7 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.17627/2021

Date : 04/10/2021

CSK 05/10/2021