



CrI.O.P. No.3660 of 2022

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T.V.THAMILSELVI, J.

This matter is taken up for hearing under the caption “For Being Mentioned” today at the instance of the learned counsel for the petitioners.

2. The learned counsel for the petitioners submitted that earlier, this Court, by an order dated 25.02.2022 granted anticipatory bail to the petitioners. However, in the said order, in paragraph-6, due to oversight, the condition was not clearly mentioned. Hence, the matter has been listed today.

3. Considering the above submission, the paragraph-6 of the order shall be substituted as follows:

"Accordingly, the petitioners are ordered to be released on bail, in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before **the learned Judicial Magistrate No.II, Krishnagiri**, on condition that the petitioners shall execute a separate bond for a



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sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each, for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, and on further conditions that:”

4. Registry is directed to incorporate above correction in the Order of this Court in Cr.O.P.No.3660 of 2022 dated 25.02.2022 and issue fresh order copy to the petitioners.

5. Time is extended for further period of two weeks for executing sureties from the date of receipt of the copy of amended order.

29.06.2022

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29.06.2022



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

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1.Manjunathan

2.Vijayakumar

.....Petitioners

Vs.

The State Represented by
The Inspector of Police,
Krishnagiri Taluk Police Station,
Krishnagiri District.
(Crime No.600 of 2021)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C.,
praying to enlarge the petitioners on bail in the event of their arrest by
the respondent police concerned in crime No.600 of 2021, on the file of
the respondent Police.

For Petitioners : Mr.M.P.Saravanan

For Respondent : Mr.L.Baskaran

Government Advocate (Crl. Side)



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ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294 (b), 506(ii), 273 of IPC 7, 20(1) of Cigarette and other Tobacco Products Act 2003 and 58, 59 of Food Safety and Standards Act 2006 in Crime No.600 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 26.12.2021, the petitioners along with other accused persons illegally transported contraband tobacco products. Hence, the complaint.

3. The learned counsel appearing for the petitioners submit that totally 12 accused involved in this case, out of which, petitioners are ranked as A10 and A11. He further submitted that the co-accused were already arrested and released on bail in Crl.O.P.No.746 of 2022. He further submits that the based on the confession statement of the other accused persons petitioners were implicated in this case. However, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for



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the respondent opposed for granting anticipatory bail by stating that the petitioners along with other accused persons illegally transported contraband tobacco products worth about seven lakhs and there was a proposal for goondas against the accused A1 to A8. He further submitted that there is no previous case as pending against the petitioners, but, they were act as a transporters and distributors for above said contraband products. He further submit that the investigation almost completed.

5. Considering the facts and circumstances of the case and also co-accused were enlarged on bail and there is no previous case pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are 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, each for a like sum to the satisfaction of the **Judicial Magistrate No.II, Krishnagiri**, and on further conditions that:



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[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand Only) (each) to the credit of SRI ARUNODHAYAM CHARITABLE TRUST, A/c No.50100196910687, HDFC Bank, Dayalu Nagar, Villivakkam Branch, IFSC Code:HDFC0004221.

[c] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m., for a period of two months and thereafter as and when required for an interrogation;

[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 has been imposed and the petitioner is released on bail by the learned Magistrate/Trial Court



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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;

25.02.2022

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To

1. The Judicial Magistrate No.II,
Krishnagiri.
- 2.The Inspector of Police,
Krishnagiri Taluk Police Station,
Krishnagiri District.
3. The Public Prosecutor,
High Court, Madras.

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25.02.2022