



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Monday, the Twenty Eighth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.4772 of 2022

1 MOULI THIRUPATHI  
2 KARTHIKEYAN RAMAR

[ PETITIONERS / ACCUSED ]

Vs

THE STATE REP BY  
THE INSPECTOR OF POLICE,  
KRISHNAGIRI TALUK POLICE STATION,  
KRISHNAGIRI DISTRICT.  
(CRIME NO. 600 OF 2021)

[ RESPONDENT ]

For Petitioner : M/S.R.THIRUMOORTHY Advocate

For Respondent : MS.G.V.KASTHURI Additional Public Prosecutor

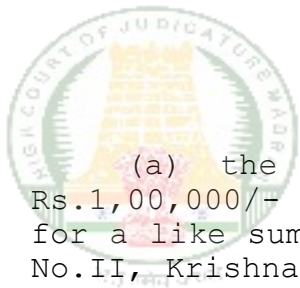
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 31.12.2021 for the offences punishable under Sections 294(b), 506 (ii), 273, 328 of IPC read with 7, 20(I) of Cigarette and Other Tobacco products Acts, 2003, read with 58, 59 of Food Safety Standards Act, 2006 in Crime No.600 of 2021, on the file of the respondent police, seeks bail.

2. In connection with the seizure of 6500 kg of gutka, on 31.12.2021, this petitioner was arrested by the respondent police based on the confession statement given by the co-accused implicating this petitioner as local distributor of gutka illegally. The petitioner was arrested on 31.12.2021 and investigation in this case substantially completed. Hence, this Court is inclined to grant bail to the petitioner subject to certain conditions.

3. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;



(a) the petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Krishnagiri.

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(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner is directed to appear before the Investigating Officer daily at 10.00 a.m. until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Judicial 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];

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

-sd/-

28/02/2022

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, KRISHNAGIRI.

2 THE CHIEF JUDICIAL MAGISTRATE  
KRISHNAGIRI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,  
KRISHNAGIRI TALUK POLICE STATION,  
KRISHNAGIRI DISTRICT.



4 THE OFFICER CHARGE,  
DISTRICT JAIL, DHARMAPURI.

5 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to M/S.R.THIRUMOORTHY Advocate on payment of necessary  
charges

CRL OP.4772/2022

Date :28/02/2022

CSK 01/03/2022