



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2022

CORAM:

THE HON'BLE MR.JUSTICE DR.G.JAYACHANDRAN

Cr1.O.P.No.5133 of 2022

Shek Abdulah

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
P-6 Kodungaiyur Police Station,
Chennai.
(Crime No.189 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail pending investigation in Crime No.189 of 2022 on the file of the respondent police.

For Petitioner : Mr.S.Mohanraj

For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

O R D E R

The petitioner, who was arrested on 09.02.2022 for the offences punishable under Section 273, 328 of IPC read with 7, 9(ii) of Tamil Nadu Prohibition of Smoking and Spitting Act 2003 in Crime No.189 of 2022, on the file of the respondent police, seeks bail.

2.Learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner was found in illegal possession of 9 kgs of Hans, 10 kgs. Of Remo Packets, 1 kilo of Vimal Pockets, 10 kgs of Swagath, 3 kgs of Cool lips and 1 kg of Mava and he was arrested on 09.02.2022. She further submitted that he had no previous case against him.

3. In view of the above fact, bail granted to the petitioner and he is ordered to be released on bail subject to the following conditions;



(a) The petitioner shall deposit Rs.50,000/- (Rupees Fifty Thousand) to the crime account and execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned The X Metropolitan Magistrate, Egmore, Chennai

(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 concerned Magistrate 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) on breach of any of the aforesaid conditions, the learned Judicial 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 petitioners 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/-

04/03/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

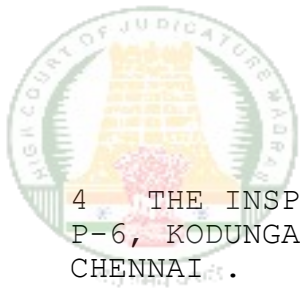
Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE METROPOLITAN MAGISTRATE,
NO.X, EGMORE, CHENNAI 600 008.

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL JAIL, PUZHAL,
CHENNAI.



4 THE INSPECTOR OF POLICE,
P-6, KODUNGAIYUR POLICE STATION,
CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.5133/2022

Date :04/03/2022

RW 07/03/2022