



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.5672 of 2022

Thangavel

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
Tiruppur North Police Station,
Tiruppur District.
(Crime No.216 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.216 of 2022 on the file of Respondent of police.

For Petitioner : Mr.J.Franklin

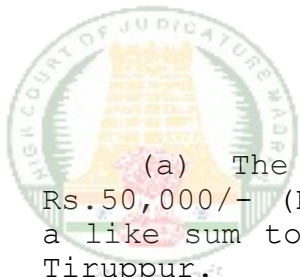
For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner, who was arrested on 27.02.2022 for the offences punishable under Section 328 of IPC in Crime No.216 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner herein was arrested on 27.02.2022 for the alleged possession of 840 grams of tobacco kept clandestinely to be sold in retail. The petitioner claims that he is running a Bakery selling baked foods and he is not involved in the crime but due to some previous enmity, the case has been foisted and he has no bad antecedents.

3. Considering, the submissions made by the petitioner herein and the learned Additional Public Prosecutor, this Court grants bail to the petitioner herein and he is ordered to be released on bail subject to the following conditions;



(a) The petitioner shall 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 Judicial Magistrate-I, Tiruppur.

(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 report before the Investigating Officer as and when required.

(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/-

16/03/2022

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 JUDICIAL MAGISTRATE,
NO.I, TIRUPPUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
TIRUPPUR NORTH POLICE STATION,
TIRUPPUR DISTRICT.



4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.5672/2022

Date :16/03/2022

CSK 17/03/2022