



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.5863 of 2022

Abdul Rasheed

... Petitioner

Vs.

The Sub-Inspector of Police,
Pennagaram Police Station,
Dharmapuri.
(Crime No.42 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.42 of 2022 on the file of the Respondent Police.

For Petitioner : Mr.V.R.Annagandhi

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

ORDER

The petitioner, who was arrested for the offences punishable under Sections 328 of I.P.C r/w. Section 7 of Cigarettes and other TOBACO Products (Prohibition) Act, 2003, in Crime No.42 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner herein was arrested on 12.02.2022 for possession of banned Tobacco products namely 10 packets of Hans worth about Rs.2500/-The vehicle in which he transported the banned Tobacco products was seized by the respondent police.

3. Considering the stage of the investigation and the quantity of Tobacco product alleged to have been in possession of the petitioner herein, this Court is inclined to grant bail to the petitioner subject to the following conditions.



WEB COPY

(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, Pennagaram.

(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 daily at 10.30 am, 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 Magistrate 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/-
14/03/2022

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

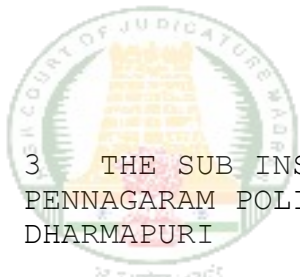
TRUE COPY

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

TO

1 THE JUDICIAL MAGISTRATE,
PENNAGARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI INFORMATION]



3 THE SUB INSPECTOR OF POLICE,
PENNAGARAM POLICE STATION,
DHARMAPURI

4 THE SUPERINTENDENT,
CENTRAL JAIL, DHARMAPURI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S V.R.ANNAGANDHI Advocate on payment of necessary
charges SR.NO.3834

CRL OP.5863/2022

Date :14/03/2022

JPA 15/03/2022