



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.7428 of 2022

1.Anthony Gnanapradish
2.Amala Patturaja

.. Petitioners

Vs.

State Rep. by
The Inspector of Police,
Madathukulam Police Station,
Tirupur District.
(Crime No.50 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioners on bail in connection with the Crime No.50 of 2022 on the file of the respondent police.

For Petitioners : Mr.S.Madhusudanan

For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

O R D E R

The petitioners, who were arrested for the alleged offences under Sections 328, 273 of IPC read with Sections 7, 20(i) of COTPA Act in Crime No.50 of 2022, on the file of the respondent police, seek bail.

2. The petitioners are the owner and driver of the vehicle in which 666 kg of banned tobacco worth about more than Rs.5 lakhs was illegally transported. These petitioners were arrested on 26.02.2022 for the offences under sections 328, 273 of IPC read with Sections 7, 20(i) of COTPA Act.

3.Learned Additional Public Prosecutor for the respondent states that the Mahendra Truck in which the tobacco was illegally transported and the Maruthi Swift Dezire which was used to escort the Mahendra Maxi Truck were seized. In the said circumstances, considering the apprehension of the learned Additional Public



Prosecutor that if the petitioners released on bail, they may abscond, the petitioners are ordered to be released on bail subject to the following conditions;

(a) Each of the petitioners 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 District Munsif cum Judicial Magistrate, Madathukulam, Tiruppur District;

(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 petitioners are directed to stay at Tiruppur and report before the Investigation Officer daily twice at 10.30 a.m. and 5 p.m. until further orders;

(d) the petitioners 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/-

04/04/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, MADATHUKULAM,
TIRUPPUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR DISTRICT. [FOR INFORMATION]



3 THE OFFICER INCHARGE,
SUB JAIL, AVINASHI,
TIRUPPUR DISTRICT.

4 THE INSPECTOR OF POLICE,
MADATHUKULAM POLICE STATION,
TIRUPUR DISTRICT.

5 THE INSPECTOR OF POLICE/
STATION HOUSE OFFICER,
TIRUPPUR POLICE STATION,
TIRUPPUR.

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.MADHUSUDANAN Advocate on payment of necessary
charges SR.NO. 5049

CRL OP.7428/2022

Date :04/04/2022

RW 05/04/2022