



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Wednesday, the Thirtieth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.7209 of 2022

RANJITHKUMAR

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
TIRUPPUR POLICE STATION,  
TIRUPPUR DISTRICT.  
(CRIME NO.160/2022)

[ RESPONDENT ]

For Petitioner : M/S R.SASIKUMAR Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate ( Cr1. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 273, & 328 of IPC and Section 7(1) & 20(1) of Cigarette and Other Tobacco Products Acts, 2003 in Crime No.160 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. For the alleged possession of 94 packets of prohibited tobacco, the petitioner has arrayed as A2. Apprehending arrest, the petitioner is before this Court seeking anticipatory bail stating that he is running a provision store and nothing was recovered from his shop as alleged by the respondent police. Since he has some misunderstanding with the respondent Police, this case has been recently foisted against him.

3. Considering the fact that at the time of the alleged recovery the petitioner was not present, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



4. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate No.1, Udumalaipet** on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only), with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) if the petitioner failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) **the petitioner shall report before the respondent police as and when required;**

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

(e) the petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned 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]**; and;

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

-sd/-

30/03/2022

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.1, UDUMALAIPET, TIRUPPUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE  
TIRUPPUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
TIRUPPUR POLICE STATION,  
TIRUPPUR DISTRICT.

+1 CC to M/S R.SASIKUMAR Advocate on payment of necessary  
charges SR.NO.4825

CRL OP.7209/2022

Date :30/03/2022

TA-05/04/2022