



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Seventh day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8118 of 2022

RAJESH

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
BARGUR POLICE STATION,
KRISHNAGIRI DISTRICT
(CRIME NO.71 OF 2022)

[RESPONDENT]

For Petitioner : M/S R.THIRUMOORTHY Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Sections 328 of I.P.C read with 7, 20(I) of Cigarette And Other Tobacco Products Acts, 2003 read with 52, 59 of Food Safety And Standards Act, 2006 in Crime No.71 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side).

3. The petitioner herein apprehending arrest based on the confession statement of the co-accused in connection with seizure of illegal banned tobacco products on 19.03.2022 by the respondent Police.

4. The learned Counsel for the petitioner states that the petitioner herein is a reporter in a local daily and was writing article about the illegal mining, infuriated by the same, the name of the petitioner is roped in crime No. 71 of 2022 by the respondent police.



5. After considering the above facts and the alleged confession statement of the co-accused, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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 -I, Krishnagiri, 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) 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;

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

(c) the petitioner shall report before the Investigating Officer as and when required for interrogation;

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

(e) 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 has 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;

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

-sd/-
07/04/2022

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 JUDICIAL MAGISTRATE,
NO.1, KRISHNAGIRI

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
BARGUR POLICE STATION,
KRISHNAGIRI DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S R.THIRUMOORTHY Advocate on payment of necessary
charges SR.NO.5420

CRL OP.8118/2022

Date :07/04/2022

JPA 12/04/2022