



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.9480 of 2022

Muthusamy

.. Petitioner

Vs.

The State of rep. by
The Inspector of Police,
Kundadam Police Station,
Tiruppur District.
(Crime No.75 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.75 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.C.S.Saravanan

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

O R D E R

The petitioner, who was arrested on 09.03.2022 for the offences punishable under Sections 273, 328 of IPC and Sections 7(1), 20(2) of Cigarette and Other Tobacco Products Acts, 2003 in Crime No.75 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner herein was arrested on 09.03.2022 for the alleged possession of banned Tobacco products totally weighing 47 kgs 800 grams.

3. The learned Additional Public Prosecutor appearing for the respondent states that investigation is almost completed and the final report will be filed on receipt of the lab report. It is also stated that it is the first case against this petitioner and he has come under the scammer.



4. In the light of the above fact, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner 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, Dharapuram;

(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 appear before the Investigating Officer twice daily at 10.30 a.m. and 5.30 p.m, 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 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/-

26/04/2022

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,
DHARAPURAM.

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

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.



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

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.C.S.SARAVANAN Advocate on payment of necessary charges

CRL OP.9480/2022

Date :26/04/2022

RW 27/04/2022