



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.9388 of 2022

WEB COPY

I.Rahman

.. Petitioner

Vs.

The State rep. by its,
The Inspector of Police,
Thiruvannamalai Town Police Station,
Thiruvannamalai District.
(Crime No.161 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to grant bail to the petitioner in Crime No.161 of 2022 on the file of the respondent police.

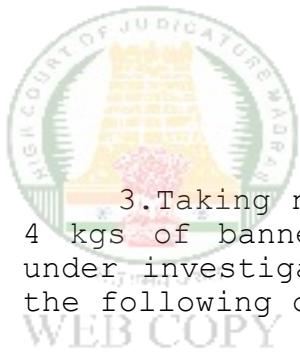
For Petitioner : Mr.S.Silambuselvan

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

ORDER

The petitioner, who was arrested for the alleged offences under Sections 273, 328 of IPC and Section 24(1) of Cigarette and Other Tobacco Products Act 2003 in Crime No.161 of 2022, on the file of the respondent police, seeks bail.

2.The petitioner herein was arrested on 10.04.2022 for the alleged possession of 45 packets of Hans (Chaap Tobacco) each containing 20 grams, 780 packets of Vimal Pan Masala each containing 2.9 grams, 24 packets of Cool Lip Fitter tobacco each containing 10 grams and 45 packets of Chaini tobacco each containing 5.75 gram. The above banned products were kept concealed in the shop of the petitioner herein for selling it to consumers. The petitioner herein claims that he is innocent person and nothing was recovered from him and it is the first case against him for the alleged offence.



3. Taking note of the fact that the petitioner had stocked nearly 4 kgs of banned tobacco products and the source of the product is under investigation, this court is inclined to grant 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 No.1, Thiruvannamalai.

(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 respondent police twice daily at 10.30 a.m. and 05.00 p.m. until further orders and shall cooperate with the investigation till the completion of the investigation.

(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/-
25/04/2022

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, THIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
THIRUVANNAMALAI TOWN POLICE STATION,
THIRUVANNAMALAI DISTRICT

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.9388/2022

Date :25/04/2022

JPA 26/04/2022