



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Fifth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G. CHANDRASEKHARAN

CRIMINAL ORIGINAL PETITION No.10669 of 2022

MURUGESAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
TIRUCHENGODE RURAL POLICE STATION,
NAMAKKAL DISTRICT.
CRIME NO.141/2022.

[RESPONDENT]

For Petitioner : M/S.M.SENTHILKUMAR Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner herein, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections **273 & 328 of IPC r/w. 24(1) of Cigarette and Other Tobacco Products Acts 2003** , in Crime No.141 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner herein apprehends arrest in a case registered by the police on 25.04.2022, wherein, the petitioner's house was raided on specific information. They found illegal possession of Gudka and tobacco products and the same were seized by the respondent police.

3. The learned Government Advocate (Crl.side) appearing for the respondent states that the 90 kgs of Gudka and tobacco products were seized from the petitioner's house. Hence he opposed for granting anticipatory bail to the petitioner.



4. The learned counsel for the petitioner states that he is innocent and nothing to do with the contraband alleged to have been seized.

5. Considering the above fact, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is directed to deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the **Advocate Clerks Welfare Association, Namakkal District**, within a period of seven days from the date on which the order copy made ready, and on such deposit 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, Tiruchengode, Namakkal District**, 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 Investigating Officer daily at 10.30 a.m, until further orders;**

(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/-

05/05/2022

WEB COPY

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,
TIRUCHENGODE, NAMAKKAL DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
THIRUCHENGODE RURAL POLICE STATION,
NAMAKKAL DISTRICT.

5 THE ADVOCATE CLERKS WELFARE ASSOCIATION,
NAMAKKAL DISTRICT.

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

CRL OP.10669/2022

Date :05/05/2022

TA-13/05/2022