



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.11491 of 2022

JAYASEELAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
THANIPADI POLICE STATION,
THANIPADI,
TIRUVANNAMALAI DISTRICT.
CR.NO.197 OF 2022.

[RESPONDENT]

For Petitioner : M/S.R.PRABUDOSS Advocate

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

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 26.04.2022 for the alleged offence under Sections 273, 328 and 511 of I.P.C read with Section 6 (b) & 24 (1) of COTPA Act in Crime No.197 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 150 pockets of Hans, which is a tobacco product.

3. Heard Mr.R.Prabudoss, learned counsel for the petitioner and Mr.S.Santhosh, learned Government Advocate (Criminal Side) appearing for the respondent.

4. The earlier bail petition filed by the petitioner was dismissed by this Court on 05.05.2022 since the investigation was at its initial stage.



5. In the present case, the entire contraband has already been seized by the respondent police and the petitioner has already suffered incarceration for 23 days. That apart, there are no previous case against the petitioner. Keeping the petitioner behind bars will not serve any purpose and this Court is inclined to enlarge the petitioner by imposing stringent conditions.

6. In view of the above discussion, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned District Munsif-cum-Judicial Magistrate, Thandrapet, Thiruvannamalai District, and the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand Only) before the Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai** and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall deposit a sum of **Rs.10,000/- (Rupees Ten Thousand Only), before the Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai** and that the receipt of such payment shall be produced before the concerned Magistrate at the time of executing the bond;

[c] the petitioner shall report before the respondent police every Friday at 6.00 p.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]**.



[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

WEB COPY

-sd/-
18/05/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, THANDRAMPET,
THIRUVANNAMALAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
THANIPADI POLICE STATION,
THANIPADI,
TIRUVANNAMALAI DISTRICT.

5 THE OFFICER INCHARGE
SUB JAIL, CHENGAM,
THIRUVANNAMALAI DISTRICT.

6 THE CANCER INSTITUTE (WIA)
EAST CANAL BANK ROAD,
ADYAR, CHENNAI.

+1 CC to M/S.R.PRABUDOSS Advocate on payment of necessary
charges SR.NO.7261

CRL OP.11491/2022

Date :18/05/2022

TA-18/05/2022