



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.11459 of 2022

1 RIYASH @ RIYASHDEEN
2 SATHISH

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
ARAKANDANALLUR POLICE STATION,
VILLUPURAM DISTRICT.
(CRIME NO. 184 OF 2022)

[RESPONDENT]

For Petitioner : M/S. A.BALAMURUGAN Advocate

For Respondent : S.SANTHOSH, Government Advocate(Criminal Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who were arrested and remanded to judicial custody on 29.03.2022 for the offences under Sections 273, 328, 294 (b), 353, 506(ii) and 307 IPC and Section 24(1) of Cigarette and Other Tobacco Products Act, 2003, in Crime No.184 of 2022, seek for bail.

2.The case of the prosecution is that the accused persons were carrying tobacco products worth Rs.2 Lakhs. The car in which they were traveling was intercepted and the entire contraband was seized. There are totally three accused persons in this case and the petitioners are arrayed as A2 and A3.

3.Heard Mr.A.Balamurugan, learned counsel for the petitioners and Mr.S.Santhosh, learned Government Advocate (Crl. Side), appearing for the respondent.

4.Taking into consideration the facts and circumstances of the case and also of the fact that the petitioners have already suffered incarceration for nearly 49 days and there are no previous cases



against the petitioners and the entire contraband has been seized by the respondent Police, this Court is inclined to grant bail to the petitioners by putting up stringent conditions.

5. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Tirukovilur, and on further conditions that:-

[a] each petitioner shall deposit a sum of Rs.10,000/- (Rupees ten thousand only) to the credit of Madras High Court Advocates Clerks Association, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

[b] 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.

[c] the petitioners shall report before the respondent police every Friday at 06.30 p.m. for a period of eight weeks and thereafter, as and when required.

[d] the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[e] the petitioners 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 petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

-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.



1 THE JUDICIAL MAGISTRATE,
TIRUKOVILUR , VILLUPURAM DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM DISTRICT[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ARAKANDANALLUR POLICE STATION,
VILLUPURAM DISTRICT.

5 THE OFFICER INCHARGE
SUB JAIL
TIRUKOVILUR, VILLUPURAM DISTRICT

6 THE ADVOCATES CLERKS ASSOCIATION
HIGH COURT MADRAS

+1 CC to M/S. A.BALAMURUGAN Advocate on payment of necessary
charges SR.No. 7266

CRL OP.11459/2022

Date :18/05/2022

SP(19/05/2022)