



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.11603 of 2022

1 MUSTAFA

[PETITIONERS / ACCUSED]

2 MOHAMMED TARIQ

Vs

THE STATION HOUSE OFFICER
NORTH VELLORE POLICE STATION
VELLORE.
CRIME NO.207 OF 2022

[RESPONDENT]

For Petitioner : K.SASINDRAN Advocate

For Respondent : M/S.S.SANTHOSH, Govt. Advocate (CrI. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded under judicial custody on 27.04.2022 for the alleged offences under Sections 6(a), 24(1) of Cigarette and other Tobacco Products Act 2003 and r/w Section 273, 328 of IPC in Crime No.207 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the accused persons were found in the possession of banned tobacco products and the same was recovered from the two wheeler that was driven by the accused persons. There are totally three accused persons in this case. The petitioners have been arrayed as A1 and A2.

3. Heard Mr.K.Sasindran, learned counsel for the petitioners and Mr.S.Santhosh, learned Government Advocate for the respondent.



4. Taking into consideration the facts and circumstances of the case and also of the fact that the contraband has already been seized by the respondent police and the petitioners have already suffered incarceration for nearly 21 days, and there are no previous cases against the petitioners, this Court is inclined to grant bail to the petitioners by subjecting them to stringent conditions.

5. Accordingly, each of the petitioners shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only), by way of Demand Draft to the Advocate Clerk Association, Madras High Court and on such deposit, the petitioners are ordered to be released on bail on executing a bond for a sum of Rs.5,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate-IV, Vellore, 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 petitioners shall report before the respondent police on every Monday at 10.30 a.m until further orders.

[c] the petitioners shall not abscond either during investigation or trial.

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

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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].

[f] If the accused thereafter absconds, 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.



TO

1 THE JUDICIAL MAGISTRATE,
NO.IV, VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

4 THE STATION HOUSE OFFICER
NORTH VELLORE POLICE STATION
VELLORE .

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE ADVOCATE CLERK
ASSOCIATION, MADRAS HIGH COURT.

+1 CC to K.SASINDRAN Advocate on payment of necessary charges
SR.NO. 7311

CRL OP.11603/2022

Date :18/05/2022

RW 19/05/2022