



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice D.BHARATHA CHAKRAVARTHY

CRIMINAL ORIGINAL PETITION No.12691 of 2022

ARUL

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
THOPPUR POLICE STATION,
DHARMAPURI DISTRICT
CR.NO.51 OF 2022.

[RESPONDENT]

For Petitioner : M/S.M.SENTHILKUMAR Advocate

For Respondent : THE PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

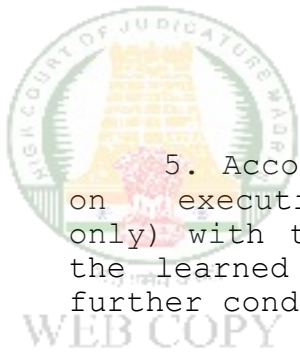
ORDER : The Court Made the following order :-

The petitioner herein, who was arrested and remanded to judicial custody on 01.04.2022 for the alleged offences under Sections 7, 20(1) of Cigarette and other Tobacco Products Acts, 2003 r/w.328 of IPC, in Crime No.51 of 2022 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner is the owner cum driver of Tata Container lorry in which he was transporting banned Gudka and other Tobacco products totally worth about Rs.8,09,928/-.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

4. Considering the nature of allegations and fact that the petitioner is in judicial custody from 01.04.2022, I am inclined to enlarge the petitioner on bail subject to imposing certain conditions.



5. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Dharmapuri, on the following further conditions:-

[a] In addition, the petitioner shall also pay a sum of Rs.40,000/- (Rupees Forty Thousand Only) by way of demand draft, to the Adyar Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai.

[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 petitioner shall report before the respondent police 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.

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

-sd/-

26/05/2022

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.I, DHARMAPURI



2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
THOPPUR POLICE STATION,
DHARMAPURI DISTRICT

5 THE OFFICER INCHARGE,
DISTRICT JAIL, DHARMAPURI

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

CC to M/S.M.SENTHILKUMAR Advocate on payment of necessary
charges Sr.7891

CRL OP.12691/2022

Date :26/05/2022

RVR 26/05/2022