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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.OP.No.13860 of 2022

Easwaran

..Petitioner/A1

Vs.

State Rep.  
Inspector of Police,  
Thudiyalur Police Station,  
Coimbatore District  
crime No.545 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.545 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.C.D.Sugumar

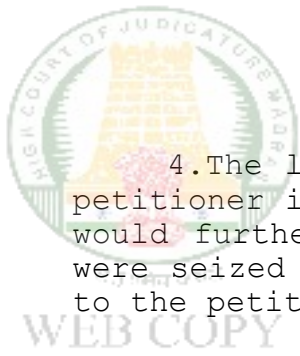
For Respondent : Mr.A.Damodaran,  
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.05.2022 for the offences punishable under Section 328 of IPC and Section 24(1) of the Cigarettes and Other Tobacco Products Act, 2003 in crime No.545 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 08.05.2022, police went to the petty shop of the petitioner and on search, 24 kg of banned tobacco products were seized. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that the petitioner is the shop owner and he is arrayed as A1 in this case. He would further submit that banned tobacco products worth about 24 kg were seized from the shop. Hence, he vehemently opposed to grant bail to the petitioner.

5. Taking into consideration the facts of the case, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), as non refundable deposit to the credit of the PUDUCHERRY ADVOCATE WELFARE FUND, A/c. No.7199772117; IFSC No.IDIB000B173 and on such deposit, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two blood related sureties, each for a like sum to the satisfaction of Judicial Magistrate No.I, Coimbatore 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.25,000/- (Rupees Twenty Five Thousand only), as non refundable deposit to the credit of the PUDUCHERRY ADVOCATE WELFARE FUND, A/c. No.7199772117; IFSC No.IDIB000B173 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 stay at Dharmapuri and report before the Inspector of Police, B1 Town Police Station, Dharmapuri daily at 10.30 a.m. and 05.30 p.m. for a period of two weeks and thereafter report before the respondent police daily at 10.30 a.m. and 05.30 p.m. for a period of two weeks and thereafter report before the respondent police as and when required for interrogation.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness 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.

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-sd/-

16/06/2022

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, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE  
COIMBATORE DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE  
THUDIYALUR POLICE STATION,  
COIMBATORE DISTRICT.

4 THE SUPERINTENDENT,  
CENTRAL PRISON, COIMBATORE.

5 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

6 THE PUDUCHERRY ADVOCATE WELFARE FUND,  
PUDUCHERRY.A/C. NO.7199772117,  
IFSC NO.IDIB000B173.

7 THE INSPECTOR OF POLICE  
B1 TOWN POLICE STATION,  
DHARMAPURI.

+1CC to M/S. C.D.SUGUMAR Advocate on payment of necessary charges SR.No.9246

CRL OP.13860/2022

Date :16/06/2022

CSK 16/06/2022