



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2022

CORAM

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

Crl.OP.No.14347 of 2022

1.Thiruvenkadam
2.Saravanan

..Petitioners/A1 & 2

Vs.

State,
The Inspector of Police,
(*)Krishnagiri Taluk Police Station,
Krishnagiri District
crime No.193 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.193 of 2022 pending investigation on the file of the respondent police.

For Petitioners : Mr.V.Vijayakumar

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor
(Crl.O.P.No.14347/2022)

For Respondent : M/S.V.J.PRIYADARSANA,
Govt. Advocate (Crl. Side)
(Crl.M.P.No.8484/2022 in Crl.O.P.No.14347/2022)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 07.06.2022 for the offences punishable under Sections 273, 506(ii) of IPC and Sections 7, 20(1) of Cigarette and Other Tobacco Products Act and Sections 58, 59 of Food Safety and Standards Act in crime No.193 of 2022 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the respondent police on their vehicle check up in Hosur to Krishnagiri Highways near Krishnagiri Tollgate, the petitioners were travelling in a car bearing registration No.TN 07 AJ 8384 did not stop the vehicle when they were intercepted by the respondent. Therefore, they were chased



and stopped. At that time, they were found in illegal possession of 316 kg of banned tobacco products. Hence, the case was registered against the petitioners.

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3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays for grant of bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that the petitioners were found in illegal possession of 316 kg of banned tobacco products. He would further submit that the petitioners have no previous cases and the tobacco products and the vehicle involved in the offence were seized by the respondent police. However, he vehemently opposed to grant bail to the petitioners.

5. Taking into consideration the facts of the case and the period of incarceration by the petitioners, this Court is inclined to grant bail to the petitioners. Accordingly, each of the petitioners shall deposit a sum of Rs.50,000/- (Rupees Fifty 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 petitioners are ordered to be released on bail on their executing a separate 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 the learned Judicial Magistrate-II, Krishnagiri 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] each of the petitioners shall deposit a sum of Rs.50,000/- (Rupees Fifty 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 petitioners shall stay at Coimbatore and report before the Inspector of Police, Peelamedu Police Station, Coimbatore daily at 10.30 a.m. and 05.30 p.m. for a period of four weeks and thereafter report before the respondent police daily at 10.30 a.m. and 05.30 p.m. for a period of four weeks and thereafter report before the respondent police as and when required for interrogation.

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



[e] the petitioners 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 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].

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

-sd/-

24/06/2022

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.

[*] Amended as per order of this Court dated 30/06/2022 made in CRL.MP.NO.8484 OF 2022 in CRL.O.P.NO.14347 OF 2022.

TO

1 THE JUDICIAL MAGISTRATE NO.II,
KRISHNAGIRI

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
(*) KRISHNAGIRI TALUK POLICE STATION,
KRISHNAGIRI DISTRICT

4 THE INSPECTOR OF POLICE,
SINGARAPETTAI POLICE STATION,
KRISHNAGIRI DISTRICT.

5 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

6 THE OFFICER INCHARGE,
SUB JAIL, KRISHNAGIRI



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

8 THE INSPECTOR OF POLICE,
PEELAMEDU POLICE STATION,
COIMBATORE

CC to M/S. V.VIJAYAKUMAR Advocate on payment of necessary
charges SR.NO.10396

CRL OP.14347/2022

Date :24/06/2022

RVR 24/06/2022

TA-30/06/2022