



Crl.OP.No.17034 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2022

CORAM

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

Crl.OP.No.17034 of 2022

Saravanan

..Petitioner

Vs.

State by:

The Inspector of Police,
Kallakkurichi Police Station,
Villupuram District.

Crime No.279 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.279 of 2022 on the file of Kallakkurichi Police Station, Villupuram District.

For Petitioner : Mr.D.Magesh

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.06.2022 for the offences punishable under Sections **273, 328 of IPC read with Section 24(1) of Cigarette and other Tobacco Products Act** in Crime No.279 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in possession of 25kgs of tobacco products (Hans Pockets - 750 Nos, Vimal Pan Masala - 3000 Nos, V-1 Tobacco -1500 Nos.). Hence, the case.

3.The learned counsel appearing for the petitioner would submit that false case has been foisted against the petitioner. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that petitioner was found in possession of 25 kgs of tobacco products. He further submitted that there are four previous cases pending against the petitioner. Hence, he vehemently opposed to grant bail to the petitioner.



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Relief Fund, High Court of Madras, and that the receipt of such deposit shall be produced before the concerned Magistrate at the time of executing the bond;

[c] the petitioner shall report before the respondent police daily at 10.30 a.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



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of Kerala [(2005)AIR SCW 5560].

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

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To

- 1.The Judicial Magistrate No.1
Kallakkurichi.
2. The Inspector of Police,
Kallakkurichi Police Station,
Villupuram District.
- 3.The Central Prison,
Cuddalore.
- 4.The Public Prosecutor,
High Court of Madras

G.K.ILANTHIRAIYAN, J.



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