



Crl.O.P.No.24619 of 2022

Crl.O.P.No.24619 of 2022

WEB C **G.K.ILANTHIRAIYAN, J.**

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 328 of IPC and Section 7 of Cigarette and other Tobacco Products Act, 2003, in Crime No.130 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused were found in possession of 14.100 Kgs of banned tobacco products. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that this is the third anticipatory bail petition filed by the petitioner. Earlier petitions filed by the petitioner were dismissed by this Court. He would also submit that the co-accused was arrested and released on bail. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submits that there are totally 2 accused in which the petitioner is arrayed as A1. The petitioner and other



Crl.O.P.No.24619 of 2022

accused were in conscious possession of 14.100 Kgs of banned tobacco products. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Though, this Court had dismissed the earlier anticipatory bail petitions filed by the petitioner on two occasions, the respondent failed to secure the petitioner so far.

6. Considering the above facts and circumstances of the case and also considering the fact that the co-accused was arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner shall deposit a sum of **Rs.1,00,000/-** (Rupees One Lakh only) as non refundable deposit to the credit of the **RAY OF LIGHT FOUNDATION; A/c No : 50100078904233; IFSC code : HDFC0001864; No.10, Nageswara Road, Nungambakkam, Chennai, Tamil Nadu 600034; Ph No.8939065431** and on such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period



Crl.O.P.No.24619 of 2022

of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate-II, Dharmapuri, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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.1,00,000/- (Rupees One Lakh only)** as **non refundable deposit to the credit of the RAY OF LIGHT FOUNDATION; A/c No : 50100078904233; IFSC code : HDFC0001864; No.10, Nageswara Road, Nungambakkam, Chennai, Tamil Nadu 600034; Ph No.8939065431.**

[c] the petitioner shall report before the respondent police daily at 10.30 a.m, and 04.30 p.m, until further orders.

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



WEB COPY



Crl.O.P.No.24619 of 2022

G.K.ILANTHIRAIYAN, J.

mn

[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 [(2005)AIR SCW 5560]**.

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

12.10.2022

mn

Crl.O.P.No.24619 of 2022