



Crl.O.P.No.28849 of 2022

Crl.O.P.No.28849 of 2022

WEB C **A.D.JAGADISH CHANDIRA, J.**

The petitioner, who apprehends arrest for the alleged offences under Section 24(1) of Cigarette and Other Tobacco Products Acts 2003 read with 328 of IPC in Crime No.738 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with another accused were found transporting banned tobacco products worth about Rs.1,25,000/-. Hence, the complaint was registered.

3. The learned counsel appearing for the petitioner would submit that the petitioner is the father-in-law of A1 and he has been falsely implicated in this case. A1 in this case has been arrested and enlarged on bail. He would further submit that without prejudice, petitioner is prepared to deposit a sum of Rs.50,000/- to the Government for any welfare purpose and he prays for grant of anticipatory bail to the petitioner.



Crl.O.P.No.28849 of 2022

WEB COPY

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner along with another accused were found transporting banned tobacco products worth about Rs.1,25,000/-. He would further submit that there is no previous case pending as against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel. Considering the facts and circumstances of the case and without prejudice, petitioner is undertaking to deposit a sum of Rs.50,000/- to the Government for any welfare purpose, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) as a non-refundable deposit by way of **Demand Draft/RTGS/NEFT to the “The Dean/Medical Officer, Government Hospital of Thoracic Medicine, Chennai, Tamil Nadu -**



Crl.O.P.No.28849 of 2022

600047" 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 of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate - I, Tambaram**, on condition that the petitioner shall execute a bond for a sum of Rs.25,000 /- (Rupees Twenty Five 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.50,000/- (Rupees Fifty Thousand only) as non-refundable deposit to the **"The Dean/Medical Officer, Government Hospital of Thoracic Medicine, Chennai, Tamil Nadu - 600047"** and the acknowledgement for the same shall be produced before the learned Magistrate at time of execution of bond.



WEB COPY



Crl.O.P.No.28849 of 2022

A.D.JAGADISH CHANDIRA, J.
mpl

[c] the petitioner shall report before the respondent police every day 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 [(2005)AIR SCW 5560]**.

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

24.11.2022

mpl

Crl.O.P.No.28849 of 2022

Page 4 of 4