



Crl.O.P.No.14522 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 353, 506(i) of IPC r/w 24(1) of Cigarette and other Tobacco Products Act, 2003 in Crime No.180 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioner submitted that, petitioner is the 3rd accused in Crime No.180 of 2023 registered for the offences under Sections 294(b), 353, 506(i) of IPC r/w 24(1) of Cigarette and other Tobacco Products Act, 2003. Petitioner is falsely implicated in this case. It is his submission that, co-accused have been arrested and remanded and released on bail. Thus, he prays for grant of anticipatory bail to the petitioner.

3. In response, learned Government Advocate (Criminal side) submitted that, 1st accused was found in possession of hans, which is a prohibited tobacco product in his two wheeler bearing No.TN-31 CH



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6405. When defacto complainant took efforts to proceed against the accused legally, petitioner, wife of 1st accused Jothi Ramalingam, prevented the defacto complainant from discharging his official duty by making death threat and using abusive words.

4. Considered the submissions and perused the records. It is reported that, 1st and 2nd accused were arrested, remanded and subsequently released on bail and petitioner is the wife of the 1st accused.

5. Considering the fact that petitioner is a woman, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned District Munsif cum Judicial Magistrate, Kurunjipadi**, 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



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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 report before the respondent police everyday at 10.30 a.m., until further orders;

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

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

[e] 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



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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

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