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CrI.OP.No.23246 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

CrI.OP.No.23246 of 2023

Lakshmi

...Petitioner

Vs.

State rep. by its
The Inspector of Police,
N-3, Muthialpet Police Station,
Chennai.
(Crime No.166 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in the above Crime No.166 of
2023 on the file of the respondent.

For Petitioner : Mr.S.Senthilvel

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 08.09.2023 for the offence punishable under Sections 6 & 24(1) of



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Cigarette and othe Tobacco Products Act, 2003 and Section 328 of IPC, in Crime No.166 of 2023 on the file of the respondent police, seeks bail.

2.It is stated by the respondent that there are 20 previous cases pending against the petitioner herein.

3.It is also stated that the petitioner is running a petty shop and selling tobacco products and the defacto complainant had purchased it and his eyes were full of tears and went to the hospital and thereafter, given a complaint against the petitioner.

4.It is stated by the learned counsel for the petitioner that in all other cases, the petitioner has paid the fine amount.

5.Taking into consideration all these facts and the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions

6.Accordingly, the petitioner is ordered to be released on bail on condition to make a non-refundable deposit of **Rs.40,000/- (Rupees Forty Thousand only)** directly to the credit of "**The Dean/Medical Officer, Government Stanley Medical College and Hospital, Chennai**", without prejudice to his rights and contentions before the trial



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Court, on such deposit and production of proof, the petitioner is ordered to be released on bail on condition to 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 XVI Metropolitan Magistrate, George Town, 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] the petitioner shall report before the respondent police daily at 10.00 a.m and 5.00 p.m., until further orders.

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

[d] the petitioner shall not tamper with evidence or witness 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 in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



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

10.10.2023

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To

- 1.The XVI Metropolitan Magistrate, George Town.
- 2.Special Prison for Women,
Puzhal, Chennai.
- 3.The Inspector of Police,
N-3, Muthialpet Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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