



Crl.O.P.No.23539 of 2023

Crl.O.P.No.23539 of 2023

WEB COPY

C.V.KARTHIKEYAN,J.

The petitioner seeks anticipatory bail in Crime No.1421 of 2023 registered by the respondent police for the offence punishable under Section 328 of IPC and Section 22 (a) of Cigarette and other Tobacco Products Act, 2003.

2. It is stated that the petitioner/accused was in possession of 40 kgs of banned tobacco products worth about Rs.30,000/-. It is stated that the other accused had taken into custody and released on bail.

3. The learned counsel for the petitioner has submitted that the petitioner is innocent and has not committed any such offence as alleged by the prosecution. He further stated that the petitioner is ready to abide by any condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.



Crl.O.P.No.23539 of 2023

4. Taking into consideration the facts and circumstances, this

Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner shall pay a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) by way of demand draft drawn in favour of the Dean, Government Medical College and Hospital, Tiruppur (to be used for needy patients), within a period of two weeks from the date of receipt of a copy of this order, 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 **Judicial Magistrate-I, Tiruppur**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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:



Crl.O.P.No.23539 of 2023

[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 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.

12.10.2023

nst/vv



WEB COPY



Crl.O.P.No.23539 of 2023

C.V.KARTHIKEYAN,J.

nst/vv

Crl.O.P.No.23539 of 2023

12.10.2023