



Crl.OP.No.24159 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

CORAM

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

Crl.OP.No.24159 of 2023

Sirumalar W/o. Lawrance

... Petitioner

Vs.

State by
The Inspector of Police,
P-1, Puliyanthope Police Station,
Chennai.
(Crime No.404 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail concerned in Crime No.404 of
2023 pending on the file of the respondent police.

For Petitioner : Mr.B.J.Santhosh Kumar

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 06.09.2023 for the offences punishable under Sections 4(1)(aaa), 4(1-A) of TN Prohibition Act r/w Section 24(1) of COTPA Act, 2003 and Section 328 of IPC, in Crime No.404 of 2023 on the file of the respondent police, seeks bail.

2. It is stated that the 1st accused had been granted bail.

3. It is also stated that the respondent had recovered about 35 packets of Remo betel nut, 28 packets of Hans, 45 packets of Cool Lip, 34 packets of Vimal Tobacco products, 25 packets of V1 Tobacco, 25 packets of Dunhill Cigarette, 3 packets of Kudangaram Cigarettes, 3 bottles of 1000 ML Bottles of VSOP Brandy and cash of Rs.12,650/- from the accused.

4. It is also stated that there is no previous case pending against the petitioner herein.



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5. Taking into consideration the overall aspect of the issue, this Court is inclined to grant bail to the petitioner with certain condition:

6. Accordingly, the petitioner shall make a non-refundable deposit of Rs.25,000/- (Rupees Twenty Five Thousand only) directly to the credit of the **Dean, Stanley Medical College & Hospital, Chennai**, 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 X Metropolitan Magistrate, Egmore, Chennai, 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 appear before the respondent police everyday at 10.30 a.m., until further orders.



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[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].

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

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To

- 1.The X Metropolitan Magistrate, Egmore, Chennai.
- 2.Women's Prison Puzhal, Chennai.
- 3.The Inspector of Police,
P-1 Puliyanthope Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

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