



Crl.OP.No.24350 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2023

CORAM

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

Crl.OP.No.24350 of 2023

Chandra Sekar

... Petitioner

Vs.

State by
The Inspector of Police,
J-5, Sasthri Nagar Police Station,
Chennai.
(Crime No.130 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.130 of
2023 pending on the file of the respondent police.

For Petitioner : Mr.P.Saminathan

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



Crl.OP.No.24350 of 2023

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.09.2023 for the offences punishable under Sections 328 of IPC r/w 20(2) of COTPA Act, 2003, in Crime No.130 of 2023 on the file of the respondent police, seeks bail.

2. It is stated the petitioner was found in possession of 142.92 Kgs of banned tobacco products.

3. It is also stated that the said contraband had been seized from the accused and the petitioner has no previous case pending against him.

4. Taking into consideration all these factors, I am inclined to grant bail to the petitioner with certain conditions:

5. Accordingly, **the petitioner shall make a non-refundable deposit of Rs.30,000/- (Rupees Thirty Thousand only) directly to the credit of the the Dean, Kilpauk Medical College and Hospital,**



Crl.OP.No.24350 of 2023

WEB COPY

Kilpauk, Chennai, "Hospital Maintenance Fund" Canara Bank, Kilpauk Branch. A/c.No.1650101005396, IFSC Code : - CNRB0001650, MICR Code : - 600015050, and 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 IX Metropolitan Magistrate, Saidapet, 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.

[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



WEB COPY



Crl.OP.No.24350 of 2023

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.

20.10.2023

ata



WEB COPY



Crl.OP.No.24350 of 2023

To

- 1.The IX Metropolitan Magistrate, Saidapet, Chennai.
- 2.Central Prison-II, Puzhal, Chennai.
- 3.The Inspector of Police,
J-5, Sasthri Nagar Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.OP.No.24350 of 2023

C.V.KARTHIKEYAN. J.

ata

Crl.O.P.No.24350 of 2023

20.10.2023