



CrI.O.P.No.25955 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2023

CORAM

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

CrI.O.P.No.25955 of 2023

Karuppusamy
S/o.Balagurusamy

...Petitioner/Accused-1

Vs.

Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai - 600 081.
(Crime No.678 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail pending investigation in Crime No.678 of 2023 on the file of the respondent police.

For Petitioner : Mr.P.A.Sugumar

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



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ORDER

The petitioner/A1 seeks bail in Crime No.678 of 2023, registered by the respondent police for the offences punishable under Sections 272, 273 and 328 of IPC and Section 24(1) COTPA Act, 2003. He had been arrested and remanded to judicial custody on 03.11.2023.

2.It is stated that in the shop of the petitioner, 17 kgs of banned tobacco products had been recovered.

3.The learned counsel for the petitioner stated that the petitioner is innocent of the offences.

4.Taking into consideration the period of incarceration and also the fact that during the period of incarceration, the petitioner had spent three days in the prison hospital, which would only indicate poor health condition of the petitioner, I am inclined to grant bail to the petitioner subject to the following conditions:

5.Accordingly, the petitioner is ordered to be released on bail on his executing 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



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XV Metropolitan Magistrate, George Town, Chennai, and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.

[b] the petitioner shall report 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 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.

23.11.2023

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C.V.KARTHIKEYAN. J.

rjr

To

1. The XV Metropolitan Magistrate, George Town, Chennai.
2. The Central Prison-II, Puzhal, Chennai.
3. Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai - 600 081.
4. The Public Prosecutor,
High Court of Madras.

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