



Crl.O.P.No.26935 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2023

CORAM

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

Crl.O.P.No.26935 of 2023

A.Hariramakrishnan S/o. Aadhilingam

...Petitioner/Accused

Vs.

The State rep. by
The Inspector of Police,
Kinathukadavu Police Station,
Coimbatore District.

(Crime No.323 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.323 of 2023 on the
file of respondent police on such terms and conditions.

For Petitioner : Mr.C.D.Sugumar

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



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ORDER

The petitioner seeks bail in Crime No.323 of 2023, registered by the respondent police for the offences punishable under Sections 24(1) of COTPA Act, 2003, and Section 328 of IPC.

2.It is stated that the petitioner had been remanded to judicial custody on 07.10.2023.

3.It is stated that the petitioner was found in possession of 105 kgs of banned tobacco products.

4.Taking into consideration the period of incarceration and all other factors and there is no previous case pending as against the petitioner herein, 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 Judicial Magistrate Court No.I, Pollachi, and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb



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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 deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) as non-refundable deposit directly to the credit of the Dean, Government General Hospital, Coimbatore. The said amount may be used for needy patients.

[c] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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].

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

28.11.2023

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C.V.KARTHIKEYAN. J.

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To

1. The Judicial Magistrate Court No.I, Pollachi.
2. The Sub-jail, Pollachi, Coimbatore District.
3. The Inspector of Police,
Kinathukadavu Police Station,
Coimbatore District.
4. The Public Prosecutor,
High Court of Madras.

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