



Crl.O.P.No.27757 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 353, 506(i) IPC read with Section 24(1) of Cigarette and Other Tobacco Products Act, 2003, in Crime No.617 of 2023 on the file of the respondent police seeks anticipatory bail.

2.The learned counsel for the petitioner states that the petitioner is an innocent person and she has been falsely implicated in this case. Thus, he prays for grant of anticipatory bail to the petitioner.

3. It is stated by the learned Government Advocate (Criminal Side) appearing on behalf of the respondent that the petitioner is the second accused and the owner of the shop, where 45 packets of banned tobacco were seized. The first accused is an employee under the petitioner. He was arrested and released on bail. Thus, he prayed for dismissal of this petition.



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4. The earlier anticipatory bail application was dismissed on 08.11.2023 in Crl.O.P.No.24915 of 2023. It is now informed that the investigation is still pending but had proceeded further and as far as this Petitioner is concerned, there are no previous cases.

4. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions that **the petitioner is directed to deposit a sum of Rs.30,000/- to the Dean, Government Stanley Hospital, Chennai for treatment of needy patients.** Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Judicial Magistrate, Thiruvottiyur**, on condition that the petitioner shall 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 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:



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[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 deposit a sum of Rs.30,000/- to the dean, Government Stanley Hospital, Chennai for treatment of needy patients.

[c] the petitioner shall report before the Respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for the interrogation.

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

[e] the petitioner shall not abscond 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



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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.

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