



CrI.O.P.No.26985 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2023

CORAM

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

CrI.O.P.No.26985 of 2023

Sathishkumar

...Petitioner

Vs.

State rep by
The Inspector of Police,
Vedakkipalayam Police Station,
Pollachi, Coimbatore.
(Crime No.154 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to release the petitioner on bail in the Crime No.154 of 2023 pending on the file of the respondent police.

For Petitioner : Mr.R.Nandha Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.10.2023 for the offences punishable under Section 24(1) of



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Cigarettes and Other Tobacco Products Act 2003 and Sections 328 and 511 of IPC, in Crime No.154 of 2023 on the file of the respondent Police, seeks bail.

2.It is the case of the prosecution that the petitioner was found in possession of 40 kgs of banned tobacco products in an auto bearing registration No.KL 70 A 7210.

3.It is stated by the respondent that there is no previous case against the petitioner and the contraband had been seized.

4.Taking into consideration the period of incarceration and also of the fact that the contraband had been seized, this Court is 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)** each 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 petitioner and 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 their identity.



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[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 10.00 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.

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C.V.KARTHIKEYAN. J.

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To

1. The Judicial Magistrate No.I, Pollachi.
2. The Central Prison, Coimbatore.
- 3.The Inspector of Police,
Vedakkipalayam Police Station,
Pollachi, Coimbatore.
- 4.The Public Prosecutor,
High Court of Madras.

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