



CrI.O.P.No.27165 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2023

CORAM

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

CrI.O.P.No.27165 of 2023

Totan Manna S/o. Sanatan Manna

...Petitioner/Accused

Vs.

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

(Crime No.219 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.219 of 2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.C.D.Sugumar

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



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ORDER

The petitioner seeks bail in Crime No.219 of 2023, registered under Sections 7(1) & 20(2) of Cigarette and Other Tobacco Products Act, 2003, and Section 328 of IPC and Sections 4(1)(a) & 4(1)(i) of Tamilnadu Prohibition Act. The petitioner had been taken into custody on 03.11.2023.

2.It is stated that the petitioner was in possession of 12 bottles of liquor and 22 packets of banned tobacco products.

3.It is also stated that there is one previous case against the petitioner herein.

4.Taking into consideration all these facts, 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.V, Coimbatore, and on further conditions that :-



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[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 respondent police everyday at 10.30 a.m., until further orders.

[c] the petitioner shall deposit a sum of Rs.20,000/-(Rupees Twenty Thousand only) as non-refundable deposit to the credit of the Dean, Government General Hospital, Coimbatore and the said amount may be used for needy patients.

[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.

30.11.2023

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C.V.KARTHIKEYAN. J.



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To



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1. The Judicial Magistrate No.V, Coimbatore.
2. The Central Prison, Coimbatore District.
- 3.The Inspector of Police,
Variety Hall Police Station,
Coimbatore District.
- 4.The Public Prosecutor,
High Court of Madras.

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