



CrI.O.P.No.27749 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2023

CORAM

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

CrI.O.P.No.27749 of 2023

Ashok Patel S/o. Matha Ranjith

...Petitioner/Accused

Vs.

State rep.
The Inspector of Police,
C3, Seven Wells Police Station,
Chennai-600 001.

(Crime No.158 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.158 of 2023 pending investigation on the file of the Respondent police on such terms and conditions.

For Petitioner : Mr.Gokula Rao

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



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ORDER

The petitioner seeks bail in Crime No.158 of 2023, registered by the respondent police for the offences punishable under Sections 24(1) of COTPA Act, 2003, and Section 328 of IPC. The petitioner had been remanded to custody on 25.10.2023.

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

3.Taking into consideration the period of incarceration, I am inclined to grant bail to the petitioner subject to the following conditions:

4.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 learned VIII 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



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everyday at 10.30 a.m., until further orders.

[c] the petitioner shall make a non-refundable deposit of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of the Dean, Stanley Government Hospital & Medical College, Chennai, for treatment of 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.

08.12.2023

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C.V.KARTHIKEYAN. J.

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To

1.The VIII Metropolitan Magistrate, George Town, Chennai.

2.The Central Prison, Puzhal, Chennai.

3.The Inspector of Police,
C3, Seven Wells Police Station,
Chennai-600 001.

4.The Public Prosecutor,
High Court of Madras.

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