



CrI.O.P.No.28265 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioner/A2 in Crime No.203 of 2023 registered by the Respondent Police for the offences under Sections 6 and 24(1) of Cigarette and Other Tobacco Products Acts, 2003 read with Sections 273 and 328 IPC, seeks anticipatory bail.

2. It is stated by the learned Government Advocate (Criminal Side) that the Accused A1 was found in possession of 1 kg 900 grams of banned Tobacco products. He also stated that the Accused A1 had been arrested and he had given a statement that he had purchased the said products from this Petitioner/A2. There are no previous case as against the Petitioner herein.

3. The learned counsel for the Petitioner stated that the Petitioner has been falsely implicated in this case. He also stated that the Petitioner was not committed any offences as alleged by the prosecution. Thus, he prays for grant of anticipatory bail to the Petitioner herein.



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4. However, taking into consideration of the fact that he is the supplier, 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.15,000/- (Rupees Fifteen Thousand only) to the credit of 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the VIII Metropolitan Magistrate, George Town at Chennai**, 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:

[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.



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[b] the Petitioner shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of 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., until further orders.

[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 Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.



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

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