



CrI.O.P.No.27979 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/A2 seeks anticipatory bail in Crime No.282 of 2023 registered by the respondent Police for the offences punishable under Sections 6(b) and 24(1) of Cigarette and Other Tobacco Products Act and Sections 272, 273 and 328 of IPC and Section 77 of the Juvenile Justice(Care and Protection of Children) Act.

2. A1 had been arrested with 11 kgs of banned tobacco products, he had been released on bail. From his confession, the respondent had recovered 47 kgs of banned products from the house of the petitioner herein.

3. However, taking all the other factors into consideration and that there is one previous case as against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, but however, **directing the petitioner to deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) as non refundable deposit to the credit of Crime No.282 of 2023 before the Judicial Magistrate, Ambattur. The said amount may be handed over by the Judicial Magistrate, Ambattur to the Dean, the Government Stanley Hospital, Chennai for the treatment of needy patients.**



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4. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate, Ambattur**, on condition that the petitioner shall execute a separate 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.

[b] 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.

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



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[d] the petitioner shall not abscond either during investigation or trial.

[e] 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 petitioners 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]**.

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

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