



WEB COPY



CrI.O.P.No.28126 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2023

CORAM

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

**CrI.OP.No.28126 of 2023**

Kalaimaran

...Petitioner

Vs.

State rep.by  
The Inspector of Police,  
P-3 Vyasarpadi Police Station,  
Chennai.  
Crime No.292 of 2023.

...Respondent

**PRAYER:** Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in FIR in Crime No.292 of 2023 on the file of the respondent police.

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

**ORDER**

The petitioner in Crime No.292 of 2023 registered by the respondent Police for the offences under Sections 20(2), 24(1) of Cigarette and other Tobacco Products Acts, 2003 r/w Section 328 IPC and remanded to judicial custody on 02.11.2023 seeks bail.



CrI.O.P.No.28126 of 2023

WEB COPY

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side).

3. It is stated that the respondent had seized 500 kgs of MAWA from the godown, which the petitioner herein has the control. A2 had been granted anticipatory bail.

4. Taking into consideration, the period of incarceration suffered by the petitioner, 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 condition to 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 **X Metropolitan Magistrate, Egmore, Chennai** and on further conditions that:

[a] 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.



Crl.O.P.No.28126 of 2023

**[b] the petitioner to deposit a sum of Rs.25,000/- to the credit of Dean, Government Stanley Hospital, Chennai for treatment of needy patients.**

**[c] the petitioner shall report before the respondent Police, daily 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.

sli

**18.12.2023**



WEB COPY



Crl.O.P.No.28126 of 2023

**C.V.KARTHIKEYAN, J.**

sli

To

1. The X Metropolitan Magistrate, Egmore, Chennai.

2.The Inspector of Police,  
P-3 Vyasarpadi Police Station,  
Chennai.  
Crime No.292 of 2023.

3.Central Prison, Puzhal, Chennai.

4.The Public Prosecutor, Madras High Court.

**Crl.OP.No.28126 of 2023**

**18.12.2023**