



CrI.O.P.No.28479 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2023

CORAM

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

**CrI.O.P.No.28479 of 2023**

Maideen Asif S/o. Mohammedhusain

...Petitioner/Accused

Vs.

State represented by  
The Inspector of Police,  
Kudavasal Police Station,  
Thiruvarur District.

(Crime No.609 of 2023)

...Respondent

**PRAYER:**

Criminal Original Petition is filed under Section 439 of Cr.P.C.  
praying to enlarge the petitioner on bail concerned in Crime No.609 of  
2023 on the file of the respondent police, on such terms and conditions.

For Petitioner : Mr.Swamisubramanian

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



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## ORDER

The petitioner seeks bail in Crime No.609 of 2023, registered by the respondent police for the offences punishable under Section 6 r/w 24(i) of COTPA Act and Sections 273, 328 of IPC and Section 77 of JJ Act. The petitioner had been remanded to custody on 24.11.2023.

2.It is stated that the petitioner was in possession of 225 small packets of banned tobacco products.

3.It is also stated that there are no previous cases against the petitioner herein.

4.Taking into consideration the period of incarceration and all other factors, 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 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 Judicial Magistrate, Thiruvarur, Thiruvarur District, 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



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their Aadhar card or Bank pass Book to ensure their identity.

**[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.**

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

[d] the petitioner shall not tamper with evidence or witness 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 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].

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

20.12.2023

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

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To  
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- 1.The Judicial Magistrate, Thiruvarur, Thiruvarur District.
- 2.The Central Prison, Tiruchirapalli.
- 3.The Inspector of Police,  
Kudavasal Police Station,  
Thiruvarur District.
- 4.The Public Prosecutor,  
High Court of Madras.

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