



Crl.O.P.No.28639 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2023

CORAM

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

Crl.O.P.No.28639 of 2023

Jagan

... Petitioner/Accused2

Vs.

The State represented by
The Inspector of Police,
MKB Nagar Police Station,
Chennai – 600 039.
(Crime No.431 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.431 of 2023 on the file
of the respondent police on such terms and conditions.

For Petitioner : Mr.B.Jawahar

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

ORDER

The petitioner/A2 seeks bail in Crime No.431 of 2023, registered
by the respondent police for the offences punishable under Sections 272,
273, 328 of IPC. The petitioner had been remanded to custody on
04.11.2023.

2.It is stated that the respondent went over near the house of the



Crl.O.P.No.28639 of 2023

petitioner herein and saw the petitioner standing and went to back side of the house and seized 405 Kgs of banned tobacco products.

3.The learned counsel for the petitioner states that the petitioner was innocent of the offence.

4.Taking into consideration the period of incarceration, 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 fresh 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.

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

[c] the petitioner shall make a non-refundable deposit of



CrI.O.P.No.28639 of 2023

Rs.30,000/- (Rupees Thirty Thousand only) to the credit of the Dean, Stanley Government Medical College and Hospital, 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.

22.12.2023

sli

C.V.KARTHIKEYAN, J.



WEB COPY

To



Crl.O.P.No.28639 of 2023

sli

1.The X Metropolitan Magistrate, Egmore, Chennai

2.The Inspector of Police,
MKB Nagar Police Station,
Chennai – 600039.

3.The Central Prison, Puzhal.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.28639 of 2023

22.12.2023