



CrI.O.P.No.327of 2024

CrI.O.P.No.327 of 2024

WEB COPY

C.V.KARTHIKEYAN,J.

The petitioner seek anticipatory bail in Crime No.646 of 2023 registered by the respondent police for the offences punishable under Sections 273, 328 of IPC r/w 7 and 20(1) of Cigarette and Other Tobacco Products Acts 2003.

2. It is stated that there are three accused and they were found in possession of 35 kgs of banned tobacco products worth about Rs.50,000/- A1 and A2 had been granted bail .

3. The learned counsel for the petitioner stated that the petitioner is an innocent person and he had not committed any offence as alleged by the prosecution. He further stated that the petitioner is ready to abide by any condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.



CrI.O.P.No.327of 2024

4. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

6. Accordingly, **the petitioner shall make a non-refundable deposit of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of the Dean, Government General Hospital & Medical College, Tiruvarur, for treatment of needy patients** and on such deposit and the production of proof, 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 ***learned District Munsif-Cum-Judicial Magistrate, Nannilam*** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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:



CrI.O.P.No.327of 2024

[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 everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

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

[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 petitioners 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.

Vv

12.01.2024



WEB COPY



Crl.O.P.No.327of 2024

C.V.KARTHIKEYAN,J.

Vv

Crl.O.P.No.327 of 2024

12.01.2024