



Crl.O.P.No.471 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2024

CORAM

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

Crl.O.P.No.471 of 2024

1. Soman
2. Asaya Vethakkan
3. Selvalingam

...Petitioners

Vs.

State rep by
Inspector of Police,
Namakkal Police Station,
Namakkal District.
(Crime No640 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.640 of 2023 on the file of the respondent police.

For Petitioners : Mr.T.Arul

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)



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ORDER

The petitioners/ A1, A2 and A3 in Cr.No.640 of 2023 registered under Sections 328 of IPC r/w Section 24(1) of Cigarette and Tobacco Products Act, 2003 for possession of about 900 kgs of banned tobacco products and remanded to custody on 24.11.2023 seeks bails.

2. It is stated that the contraband had been recovered and seized. The learned counsel for the petitioner stated that the petitioner had been incarceration for considerable period of time.

3. Taking all the factors into consideration, I am inclined to grant bail to the petitioners subject to the following conditions:

4. Accordingly, the petitioners are ordered to be released on bail on their executing separate bonds for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate-I, Namakkal and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb



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Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.

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

[c] the petitioners shall make a non-refundable deposit of Rs.25,000/- each to the credit of the Dean, Government Hospital & Medical College, Namakkal, for treatment of needy patients.

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

[e] the petitioners 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 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].

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

11.01.2024

Vv

To

1. The Judicial Magistrate-I, Namakkal



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2. The Central Jail, Salem.

3. The Inspector of Police,
Namakkal Police Station,
Namakkal District.

4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

Vv



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