



Crl.O.P.No.1327 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2024

CORAM

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

Crl.O.P.No.1327 of 2024

Ajithkumar

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Sipcot Police Station,
Krishnagiri District.
Crime No.500 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.500 of 2023 on the file of
the respondent Police.

For Petitioner : Mr.V.Sakkarapani

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

ORDER

The petitioner who was arrested and remanded to judicial custody
on 07.12.2023 for the offences registered under Sections 328 of IPC and 7,
20(1) of Cigarette and other Tobacco Products Act, 2003, in Crime No.500 of



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2023, on the file of the respondent Police, seeks bail.

2.The learned Government Advocate (crl.side) stated that the petitioner herein was arrayed as A1 and the other accused/A2 is the owner of the goods and he is still absconding. The value of the seized banned tobacco products is more than Rs.5,00,000/-.

3.The earlier application seeking bail was dismissed by this Court in Crl.O.P.No.28325 of 2023 on 02.01.2024.

4.It is seen that from that particular date, A2 is still absconding. A status report has been filed stating that a special team has been formed to secure A2. But this petitioner has been in custody for a considerable period of time.

5.Taking that factor into consideration, I am inclined to grant bail to the petitioner subject to the following conditions:

6.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 learned Judicial Magistrate No.II, Hosur, and on further conditions that:-

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



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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 deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of the Dean, Government General Hospital, Krishnagiri for treatment of needy patients.

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

[e] 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.

02.02.2024

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C.V.KARTHIKEYAN,J.



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Vkr

To

1.The Judicial Magistrate No.II, Hosur.

2.The Inspector of Police,
Sipcot Police Station,
Krishnagiri District.

3.The Sub Jail, Hosur.

4. The Public Prosecutor, High Court of Madras.

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