



Crl.O.P.Nos.619 and 652 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.Nos.619 and 652 of 2024**

Kuthbudeen Shaik Dawood

...Petitioner  
(in Crl.OP.No.619 of 2024)

Syed Ali

...Petitioner  
(in Crl.OP.No.652 of 2024)

Vs.

State rep. by  
Inspector of Police,  
SIPCOT Police Station,  
Krishnagiri District  
(Crime No.509 of 2023)

...Respondent  
(in both Crl.OPs)

**COMMON PRAYER:**

Criminal Original Petitions are filed under Section 439 of Cr.P.C.  
praying to enlarge the petitioners on bail in Crime No.509 of 2023 on the  
file of the respondent police.



Crl.O.P.Nos.619 and 652 of 2024

Crl.OP.Nos.619 and 652 of 2024

WEB COPY

For Petitioners : Mr.R.Alagumani

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

### COMMON ORDER

The petitioner/A1 has filed Crl.OP.No.619 of 2024 and the petitioner/A2 has filed Crl.OP.No.652 of 2024, both in Cr.No.509 of 2023 registered under Sections 328 of IPC and Section 7, 20(1) of COTPA Act, 2003.

2. It is stated that the petitioners were found to be transporting 211.2 kgs of tobacco products. They have both been remanded into custody on 17.12.2023. There are no previous cases against the petitioners.

3. 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:

4. Accordingly, the petitioners are ordered to be released on bail on



CrI.O.P.Nos.619 and 652 of 2024

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 No-II, Hosur and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb 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 petitioners 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.20,000/- each to the credit of the Dean, Government General Hospital & Medical College, Krishnagiri, 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



CrI.O.P.Nos.619 and 652 of 2024

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 No-II,  
Hosur.
2. The Sub Jail,  
Hosur.
3. The Inspector of Police,  
SIPCOT Police Station,  
Krishnagiri District
4. The Public Prosecutor,  
High Court of Madras.

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

Vv



WEB COPY



Crl.O.P.Nos.619 and 652 of 2024

Crl.O.P.Nos.619 and 652 of 2024

11.01.2024