



Crl.O.P.No.788 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2024

CORAM

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

Crl.O.P.No.788 of 2024

1.Praveen
2.Azamkhan @ Aslam Khan

... Petitioners

Vs.

The State represented by
The Inspector of Police,
Kaikalathur Police Station,
Perambalur District.
(Crime No.227 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.227 of 2023 on the file of
the respondent.

For Petitioners : Mr. T.Elumalai

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



CrI.O.P.No.788 of 2024

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ORDER

The petitioners, who were arrested and remanded to judicial custody on 24.12.2023 for the offences punishable under Section 6(a) r/w 24(1) of COTPA Act 2003 and Section 328 of IPC and Section 77 of JJ Act, 2015 in Crime No.227 of 2023 on the file of the respondent police, seek bail.

2.It is stated that the petitioners were found in possession of 32.500 Kgs of Hans and 24.350 Kgs of Pan Masala, which had been seized. It is also stated that there are no previous cases against the petitioners.

3.The learned counsel for the petitioners stated that the petitioners are only the drivers and they are no way connected with the alleged offences.

4.Taking all the factors into consideration and the period of incarceration suffered by the petitioners, this Court is inclined to grant bail to the petitioners, but however, **directing each one of the petitioners to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each, as non refundable deposit to the credit of Crime No.227 of 2023 before the learned Judicial Magistrate, Veppanthattai. The said amount may be handed over by the learned Judicial Magistrate, Veppanthattai, to the Dean, Government General Hospital, Perambalur, for treating the needy patients.**



CrI.O.P.No.788 of 2024

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5. Accordingly, the petitioners are ordered to be released on bail on executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Veppanthattai, 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 petitioners shall appear before the respondent police daily at 10.30 a.m until further orders.

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

[d] the petitioners shall not tamper with evidence or witness 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].

C.V.KARTHIKEYAN, J.

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Crl.O.P.No.788 of 2024

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

12.01.2024

smv

To

- 1.The Judicial Magistrate, Veppanthattai.
- 2.The Inspector of Police,
Kaikalathur Police Station,
Perambalur District.
3. The Sub-Jail, Perambalur.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.788 of 2024