



Crl.O.P.No.1103 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2024

CORAM

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

Crl.O.P.No.1103 of 2024

1.Dinesh Kumar
2.Pavithra

... Petitioners

Vs.

The State represented by
The Inspector of Police,
P3 Vyasarpadi Police Station,
Chennai
Crime No.05 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioners on bail in Crime No.05 of 2024 on the file of
the respondent Police.

For Petitioners : Mr.M.Sureshkumar

For Respondent : Mr.L.Baskaran
Government Advocate (crl.side)

ORDER

The petitioners who were arrested and remanded to judicial custody
on 05.01.2024 for the offences registered under Sections 328 of IPC and



Crl.O.P.No.1103 of 2024

24(1) of Cigarette and other Tobacco Product Act, in Crime No.05 of 2024 on the file of the respondent Police, seek bail.

2.The case of the prosecution is that the petitioners were found in illegal possession of 2.100 kgs of banned tobacco products.

3.It is stated by the learned Government Advocate that there is no previous case against the petitioner.

4.Taking all the factors into consideration and the period of incarceration, I am inclined to grant bail to the petitioners subject to the following conditions:

5.Accordingly, the petitioners are 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 X Metropolitan Magistrate, Egmore 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 report before the respondent Police, everyday at 10.30 a.m., until further orders.

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



Crl.O.P.No.1103 of 2024

WEB COPY

[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].

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

22.01.2024

vkx

To

- 1.The X Metropolitan Magistrate, Egmore.
- 2.The Central Prison, Puzhal.
- 3.The Inspector of Police,
P3 Vyasarpadi Police Station,
Chennai
4. The Public Prosecutor, High Court of Madras.



WEB COPY



Crl.O.P.No.1103 of 2024

C.V.KARTHIKEYAN,J.

vkf

Crl.O.P.No.1103 of 2024

22.01.2024