



WEB COPY



Crl.O.P.No.1197 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2024

CORAM

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

Crl.O.P.No.1197 of 2024

Sowndra Pandian
S/o. Boopathi

... Petitioner / A2

Vs.

The State represented by
The Inspector of Police,
J-5, Sastri Nagar Police Station,
Chennai.
(Crime No.4 of 2024)
/Complainant

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.4 of 2024 on the file of
the respondent.

For Petitioner : Mr. S. Thiyagarajan

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



WEB COPY



CrI.O.P.No.1197 of 2024

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.01.2024 for the offences punishable under Sections 328 of IPC r/w Sections 20(2) of Cigarette and Other Tobacco Products Act, 2003 in Crime No.4 of 2024 on the file of the respondent police, seeks bail.

2.It is stated that the petitioner along with other accused were found in possession of 4.446 Kgs of banned tobacco products, which had been seized. It is also stated that there are two previous cases against the petitioner herein.

3.Taking all these factors into consideration and the period of incarceration suffered by the petitioner and also the fact that the contraband seized is an intermittent quantity, I am inclined to grant bail to the petitioner subject to the following conditions:

4.Accordingly, the petitioner is ordered to be released on bail on executing 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 IX Metropolitan Magistrate, Saidapet, Chennai, and on further conditions that :-

[a] the sureties shall affix their photographs and Left



CrI.O.P.No.1197 of 2024

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 petitioner shall appear before the respondent police daily at 10.30 a.m until further orders.

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

[d] the petitioner 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 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].

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

23.01.2024

smv

C.V.KARTHIKEYAN, J.



WEB COPY



CrI.O.P.No.1197 of 2024

smv

To

- 1.The IX Metropolitan Magistrate, Saidapet, Chennai.
- 2.The Inspector of Police,
J-5, Sastri Nagar Police Station,
Chennai.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.1197 of 2024

23.01.2024