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Crl.O.P.No.1568 & 1591 of 2023

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.1568 & 1591 of 2023

Ramanarayanan

... Petitioner/A2
in Crl.O.P.No.1568 of 2024

Bishambhar Nath

... Petitioner/A3
in Crl.O.P.No.1591 of 2024

Vs.

The State represented by
The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai.

(Crime No.24 of 2024)

... Respondent in both Crl.O.Ps

Common Prayer: Criminal Original Petitions filed under Section 439 of Cr.P.C., prayed to enlarge the petitioner on bail in Crime No.24 of 2024 on the file of the respondent.

(In Crl.O.P.No.1568 of 2024)

For Petitioner : Mr.M.Jaisingh

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



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Crl.O.P.No.1568 & 1591 of 2023

(In Crl.O.P.No.1591 of 2024)

For Petitioner : Mr.K.S.Ganesh Babu

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

COMMON ORDER

The 2nd accused has filed Crl.O.P.No.1568 of 2024 and the 3rd accused has filed Crl.O.P.No.1591 of 2024, both in Crime No.24 of 2024, registered by the respondent for the offences under Sections 273 and 328 of IPC, seek bail. They were remanded to judicial custody on 07.01.2024.

2.It is stated that there were totally four accused. The petitioner along with other accused were found in possession of 5.959 of kgs of banned tobacco products, which had been seized.

3.It is stated that A1 and A4 had been granted bail. A1 had been granted bail by the Principal Sessions Judge, Chennai, and A4 had been granted bail by this Court.



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4.Taking all the factors into consideration and the period of incarceration undergone by the petitioners, I am inclined to grant bail to the petitioner in both the criminal original petitions with certain conditions:

5.Accordingly, the petitioner in both the criminal original petitions are ordered to be released on bail on their executing 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 **X Metropolitan Magistrate, Egmore, Chennai**, 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.



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[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.

02.02.2024

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CrI.O.P.No.1568 & 1591 of 2023

C.V.KARTHIKEYAN, J.

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To

- 1.The X Metropolitan Magistrate, Egmore, Chennai.
- 2.The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

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