



Crl.O.P.No.1721 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2024

CORAM

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

Crl.O.P.No.1721 of 2024

Kannan

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
R-5, Virugambakkam Police Station,
Virugambakkam, Chennai-93.

(Crime No.22 of 2024)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.22 of
2024 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.S.Murugan

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



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ORDER

The petitioner/accused in Crime No.22 of 2024, registered by the respondent police for the offences under Section 24(1) of COTPA Act, 2003, and Sections 272, 273, 328 of IPC r/w Section 77 of JJ Act, 2005, seeks bail. The petitioner had been remanded to custody on 11.01.2024 with possession of 1.050 kgs of banned tobacco products.

2.It is stated that there is one previous case against the petitioner but however, taking all other factors into consideration, I am inclined to grant bail to the petitioner herein subject to the following conditions:

3.Accordingly, the petitioner is 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 XXIII Metropolitan Magistrate Court, Saidapet, 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 petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

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



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[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.

31.01.2024

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C.V.KARTHIKEYAN. J.

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To
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1. The XXIII Metropolitan Magistrate Court, Saidapet, Chennai.
2. The Central Prison, Puzhal, Chennai.
3. The Inspector of Police,
R-5, Virugambakkam Police Station,
Virugambakkam, Chennai-93.
4. The Public Prosecutor,
High Court of Madras.

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