



CrI.OP.No.1632 of 2024

CrI.O.P.No.1632 of 2024

C.V.KARTHIKEYAN,J.

The petitioner/A1 in Crime No.65 of 2022 registered by the respondent police for the offences punishable under Sections 353, 506(i) of IPC r/w 24(1) of COTP Act seeks anticipatory bail.

2. It is stated that the offence under Section 353 of IPC is attracted against A2 and A3.

3. It is the case of the prosecution that the respondent had recovered 257 kgs of banned tobacco products on 09.07.2022. A2 and A3 had been arrested and granted bail. There is one earlier case against the petitioner in FIR in Cr.No.186 of 2023 registered by the C3 Seven Wells Police Station also under COTP Act.

4. Taking all factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:



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4. Accordingly, the petitioner shall deposit a sum of **Rs.40,000/-** **[Rupees Forty Thousand Only]** *to the credit of the Dean, Government Stanley Hospital, Chennai, for treatment of needy patients* and on such deposit and the production of proof, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the *learned Metropolitan Magistrate-VIII, George Town, Chennai* on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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.



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[b] the petitioner shall report before the respondent police everyday at 10.30 a.m.,until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond 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.

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