



Crl.O.P.No.2555 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2024

CORAM

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

Crl.O.P.No.2555 of 2024

Natarajan @ Babu

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
C-2, Elephant Gate Police Station,
Chennai.

(Crime No.222 of 2023)

...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.222 of
2023 on the file of the respondent on such terms and conditions.

For Petitioner : Mr.S.Sairaman

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

ORDER



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The petitioner seeks bail in Crime No.222 of 2023, registered by the respondent police for the offences under Sections 294(b), 353, 506(i) of IPC r/w 24(1) of COTPA Act, 2003. The petitioner had been remanded to judicial custody on 19.12.2023 with possession of 11.500 kgs of banned tobacco products.

2.The one factor which is again considered by the Court earlier on 24.01.2024 when the first application seeking bail in Crl.O.P.No.512 of 2024 was dismissed, was that the petitioner had filed an application seeking relief simultaneously before this Court and before the Principal Sessions Court, Chennai. The records were handed over and had been perused.

3.Taking into consideration the period of incarceration and the quantity of the contraband seized and the fact that there is progress in investigation as on date, 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 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



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of the **VIII Metropolitan Magistrate, George Town, 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.

[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.

08.02.2024

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C.V.KARTHIKEYAN. J.



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To

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1. The VIII Metropolitan Magistrate, George Town, Chennai.
2. The Central Prison, Puzhal.
3. The Inspector of Police,
C-2, Elephant Gate Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

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