



Crl.O.P.No.2943 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2024

CORAM

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

Crl.O.P.No.2943 of 2024

Perumal S/o. Vadamalai

...Petitioner/Accused-1

Vs.

State represented by
The Inspector of Police,
V1-Villivakkam Police Station,
Chennai District.

...Respondent/Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.10 of 2024 on the file of the respondent police.

For Petitioner : Mr.S.Silambuselvan

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



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ORDER

The petitioner/A1, who was arrested and remanded to judicial custody on 09.01.2024 for the offences punishable under Sections 272, 273, 328 of IPC r/w Section 24(1) of COTPA Act 2003 in Crime No.10 of 2024, seeks bail.

2.It is stated that the accused were found in possession of 151.37 Kgs of banned Tobacco Products, which had been seized.

3.Taking all the factors into consideration and the period of incarceration suffered by the petitioner, I am inclined to grant bail to the petitioner, but however, **directing the petitioner to deposit an amount of Rs.30,000/- (Rupees Thirty Thousand only) as non refundable deposit to the credit of Crime No.10 of 2024 before the learned XIII Metropolitan Magistrate, Egmore, Chennai. The said amount may be handed over by the learned XIII Metropolitan Magistrate, Egmore, Chennai, to the Dean, Stanley Medical College and Hospital, Chennai, for treating the needy patients.**



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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 of the learned XIII 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 petitioner shall appear 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].



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C.V.KARTHIKEYAN. J.

smv

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

12.02.2024

smv

To

1. The XIII Metropolitan Magistrate, Egmore, Chennai.
2. The Central Prison, Puzhal, Chennai.
3. The Inspector of Police,
V1-Villivakkam Police Station,
Chennai District.
4. The Public Prosecutor,
High Court of Madras.

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