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CrI.O.P.No.2929 of 2024

C.V.KARTHIKEYAN, J.

The petitioner/A2 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 7(5), 20(2) of COTPA Act r/w Section 328 of IPC in Crime No.52 of 2024 on the file of the respondent, seeks anticipatory bail.

2.It is stated that A1 and A2 were going together and the respondent had recovered 449 Kgs of banned Tobacco Products from them. It is also stated that A1 had been arrested and still in custody

3.Taking all the factors into consideration and the fact that the contraband had been seized,, this Court is inclined to grant anticipatory 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 the Registered Advocate Clerk Association, High Court of Madras, Chennai.**



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4. Accordingly, 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 Judicial Magistrate – V, Vellore, on condition that the petitioner shall 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 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.

[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.



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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 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.

13.02.2024

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