



Crl.O.P.No.3556 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2024

CORAM

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

Crl.O.P.No.3556 of 2024

Vethanayagam (Karthik)

...petitioner

Vs.

State represented by
The Inspector of Police,
Gudiyatham Town Police Station,
Vellore District.
(Crime No.106 of 2024)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.106 of 2024 on the file of the respondent Police.

For petitioner : Mr.E.Kannadasan

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 03.02.2024 for the offences registered by the respondent Police under



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Sections 7(5), 20(2) of Cigarette and Other Tobacco Products Act, 2003

r/w 328 of IPC in Crime No.106 of 2024, seeks bail.

2. There are totally two accused and the petitioner is arrayed as A1.

The case of the prosecution is that the petitioner was found in possession of 5.40 kgs of banned tobacco products worth about Rs.10,400/-.

3. The learned Government Advocate (crl.side) stated that there is one previous case against the petitioner. The other accused is still in custody.

4. The learned counsel for the petitioner stated that the petitioner is innocent of the offences.

5. Taking all these into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Gudiyatham** and on further conditions that :-



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[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., for a period of two weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall deposit a sum of Rs.7,500/- as non-refundable deposit to the credit of the Dean, Government General Hospital, Vellore, for treatment of needy patients.

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

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

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

22.02.2024

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To

1. The Judicial Magistrate, Gudiyatham.
2. The Central Prison, Vellore.
3. The Inspector of Police,
Gudiyatham Town Police Station,
Vellore District.
4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN. J.

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