



Crl.O.P.No.3855 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2024

CORAM

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

Crl.O.P.No.3855 of 2024

Mohit Kumar

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Kundrathur Police Station,
Kancheepuram District.
Crime No.31 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.31 of 2024 on the file of
the respondent Police.

For Petitioner : Mr.D. Chandrasekaran

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

ORDER

The petitioner who was arrested and remanded to judicial custody
on 28.01.2024 for the offences registered under Sections 20(2) of Cigarette
and other Tobacco Products Act, 2003 and Section 328 of I.P.C, in Crime



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No.31 of 2024, on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused were in possession of 8.5 kgs of banned tobacco products.

3.The learned Government Advocate submitted that this petitioner is A3, A2 and A4 are still absconding.

4.Taking that factor into consideration, I am inclined to grant bail to the petitioner subject to the following conditions:

5.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 **Judicial Magistrate, Sriperumbudur, Kancheepuram District**, 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



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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.

19.02.2024

smn



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C.V.KARTHIKEYAN,J.

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To

1.The **Judicial Magistrate, Sriperumbudur, Kancheepuram District.**

2.The Inspector of Police,
Kundrathur Police Station,
Kancheepuram District.Crime No.31 of 2024

3.The Central Jail, Puzhal

4. The Public Prosecutor, High Court of Madras.

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