



Crl.O.P.No.6335 of 2024

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**C.V.KARTHIKEYAN, J.**

The petitioner/accused who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 273 & 328 of IPC read with Section 24(1) of the Cigarettes and Other Tobacco Products Act 2003 in Crime No.255 of 2023, seeks anticipatory bail.

2. The petitioner is the owner of the shop. It is stated that totally 927 packets of banned tobacco products had been seized.

3. Earlier application seeking anticipatory bail was dismissed on 12.02.2024 in Crl.O.P.No. 2412 of 2024. Taking into consideration that there has been further progress in investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 Judicial Magistrate, Tittagudi, Cuddalore District, 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:



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[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 deposit a sum of Rs.25,000/- to the credit of Cr.No. 255 of 2023 and on such deposit, the learned Judicial Magistrate, Tittagudi, may hand it over to the responsible Officer of Government Hospital, Cuddalore, for treatment of needy patients.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

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

[e] the petitioner shall not abscond either during investigation or trial. f 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]**.

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

**15.03.2024**

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