



Crl.O.P.No.4240 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.4240 of 2024

Venkatesh

...petitioner

Vs.

State represented by
The Inspector of Police,
Sipcot Police Station,
Thiruvallur District.
(Crime No.155 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.155 of 2024 on the file of the respondent Police.

For petitioner : Mr.R. Sasikumar

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 10.02.2024 for the offences registered by the respondent Police under Sections 272,273 and 328 of I.P.C read with Sections 6(1),24(1) of



Crl.O.P.No.4240 of 2024

Cigarettee and other Tobacco Products Act, 2003 in Crime No.155 of 2024, seeks bail.

2. It is stated that that the petitioner was in possession of 25 kg of Banned Tobacco products worth about Rs.1,15,000/-. Hence the complaint.

3.The learned Government Advocate (crl.side) stated that the respondent police recovered a sum of Rs.30,440/- from the petitioner.

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



Crl.O.P.No.4240 of 2024

WEB COPY

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 **District Munsif Cum Judicial Magistrate, Gumuidipoondi** 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., for a period of two weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall deposit a sum of Rs.25,000/- as non-refundable deposit to the credit of the Dean, Government General Hospital, Thiruvallur District 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



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Crl.O.P.No.4240 of 2024

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.

22.02.2024

smn

To

1. The **District Munsif Cum Judicial Magistrate, Gumuidipoondi**
2. The Central Prison, Puzhal
3. The Inspector of Police,
Sipcot Police Station,
Thiruvallur District, (Crime No.155 of 2024)
4. The Public Prosecutor, High Court of Madras.

C.V.KARTHIKEYAN. J.



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Crl.O.P.No.4240 of 2024

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Crl.O.P.No.4240 of 2024

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