



Crl.O.P.No.4238 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 29.02.2024
CORAM
THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**
Crl.O.P.No.4238 of 2024

Bakiyaraj

...petitioner

Vs.

State represented by
The Inspector of Police,
P-2 Otteri Police Station,
Chennai.
(Crime No.61 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.61 of 2024 on the file of the respondent Police.

For petitioner : Mr.S. Kishore

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 09.02.2024 for the offences registered by the respondent Police under Sections 24(1) of Cigarettee and other Tobacco Products Act r/w 328 of I.P.C in Crime No.61 of 2024, seeks bail.

2. It is stated that that the petitioner along with other accused were



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in possession of 800 gms of banned tobacco product. Hence the complaint.

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

4.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 **X Metropolitan Magistrate, Egmore at Chennai** 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.



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[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 not abscond either during investigation or 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.

29.02.2024

smn

To



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1. The **X Metropolitan Magistrate, Egmore at Chennai**

2. The Central Puzhal Prison, Chennai

3. The Inspector of Police,
P-2 Otteri Police Station,
Chennai.(Crime No.61 of 2024)

4.The Public Prosecutor, High Court of Madras.

C.V.KARTHIKEYAN. J.

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