



Crl.O.P.No.4409 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

CORAM

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

Crl.O.P.No.4409 of 2024

Saravanan

...petitioner

Vs.

State represented by
The Inspector of Police,
Sathuvachari Police Station,
Vellore District.
(Crime No.52 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.52 of 2024 on the file of the respondent Police.

For petitioner : Mr.G.Nirmal Krishnan

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 04.02.2024 for the offences registered by the respondent Police under Sections 7(5), 20(2) of Cigarette and Other Tobacco Products Act, 2003



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r/w Section 328 of IPC in Crime No.52 of 2024, seeks bail.

2. There are totally two accused and the petitioner is arrayed as A2.

It is stated that the petitioner along with A2 were going together and the respondent had recovered 449 kgs of banned tobacco products from them.

3. The learned counsel for the petitioner stated that A2 had been granted anticipatory bail by this Court on 13.02.2024.

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

5. 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 Judicial Magistrate No.V, Vellore 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 trial.



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[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.

23.02.2024

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To

1. The Judicial Magistrate No.V, Vellore.
2. The Central Prison, Vellore.
3. The Inspector of Police,
Sathuvachari Police Station, Vellore District.
4. The Public Prosecutor, High Court of Madras.

C.V.KARTHIKEYAN. J.

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