



Crl.O.P.No.5827 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2024

CORAM

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

Crl.O.P.No.5827 of 2024

Pushpa

...Petitioner

Vs.

State represented by
The Inspector of Police,
P-4, Basin Bridge Police Station,
Chennai 600 012.
(Crime No.79 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.79 of 2024 on the file of the respondent police..

For Petitioner : Mr.K.Subash Chandra Bose

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.02.2024 for the offences punishable under Sections 24(1) of



Crl.O.P.No.5827 of 2024

Cigarette and other Tobacco Products Act and 9(ii) of TNPSS Act, and 382 IPC, in Crime No.79 of 2024 on the file of the respondent, seeks bail.

2.The case of the prosecution is that the petitioner along with four other accused was found in illegal possession of 1 kg of banned tobacco products.

3.The learned counsel for the petitioner stated that A2 to A5 had been granted bail.

4.The learned Government Advocate (crl.side) raised objections stating that there are 24 previous cases against the petitioner.

5.But however, taking all the factors 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 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 X Metropolitan Magistrate, Egmore and on further conditions that:

[a] the sureties shall affix their photographs and Left



Crl.O.P.No.5827 of 2024

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.

[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.

15.03.2024

vkr

C.V.KARTHIKEYAN. J.



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Crl.O.P.No.5827 of 2024

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To

- 1.The X Metropolitan Magistrate, Egmore.
2. The Central Prison II, Puzhal.
- 3.The Inspector of Police,
P-4, Basin Bridge Police Station,
Chennai 600 012.
- 4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.5827 of 2024

15.03.2024