



Crl.O.P.No.6591 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2024

CORAM

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

Crl.OP.No.6591 of 2024

1. Ugrasena Sethi

2. Bhushan Pradhan

...Petitioners

Vs.

State rep by,
The Inspector of Police,
F2, Egmore Police Station,
Chennai District.
(Cr.No.64 of 2024)

...Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in FIR in Crime No.64 of 2024 on the file of the respondent police.

For Petitioner : Mr. T. Arul

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

ORDER

The petitioners who were arrested on 21.02.2024 seek bail in Crime No.64 of 2024 registered under Sections 328 of I.P.C r/w 24(1) of Cigarette and other Tobacco Products Act, 2003 before the respondent



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police.

2.The petitioners were in possession of 23.530 kgs of Banned Tobacco products which is an intermediate quantity.

3. The main objection raised by the learned Government Advocate is that the petitioners are resident of Odisha.

4. The learned counsel for the petitioners filed a memo giving the details of the blood related sureties. The learned Judicial Magistrate must take up the responsibility of verifying the sureties.

5.Taking all the factors into consideration and the quantity of the contraband and the period of incarceration, this Court is inclined to grant bail to the petitioners subject to the following conditions.

6. Accordingly, the petitioners are 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 XIV Metropolitan Magistrate, Egmore** and on further



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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 petitioners shall report before the respondent Police, daily at 10.00 a.m., until further orders.

[c]the petitioners shall not abscond either during investigation or trial.

[d] the petitioners 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 petitioners 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.

26.03.2024

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C.V.KARTHIKEYAN, J.

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To

1. The **XIV Metropolitan Magistrate, Egmore**

2. The Inspector of Police,
F2, Egmore Police Station,
Chennai District.
(Cr.No.64 of 2024)

3. The Central Prison, Puzhal

4. The Public Prosecutor, Madras High Court.

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