



WEB COPY



Crl.O.P.No.6832 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM

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

Crl.O.P.No.6832 of 2024

Sathishkumar

... Petitioner / A2

Vs.

The State represented by
The Inspector of Police
H-4, Korukkupet Police Station,
Chennai.
Crime No.62 of 2024.

... Respondent /Complainant

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.62 of 2024 on the file of
the respondent.

For Petitioner : Mr. AGD Bala Kumar

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



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ORDER

The petitioner / A2, who was taken into custody on 04.03.2024 for the offences registered under Sections 272, 273, 328 of I.P.C and Section 20(1) of Cigarette and Other Tobacco Products Act, 2003 and Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015 and Sections 7 and 9(ii) of Tamil Nadu Prohibition of Smoking and Spitting Act, 2003 in Crime No.62 of 2024, on the file of the respondent Police, seeks bail.

2.It is stated that the petitioner and other accused were found in possession of 4.716 kgs of banned tobacco products, which had been seized.

3.The learned counsel for the petitioner submitted that the petitioner was in judicial custody for a substantial period of time and the entire contraband had been seized from him.

4.Taking all the factors into consideration and the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain condition.

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) with two sureties, each for a like sum to the satisfaction of the learned XV Metropolitan Magistrate, GT Court, and on further conditions that :-



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[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 appear before the respondent police daily 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.

27.03.2024

smv

C.V.KARTHIKEYAN, J.

smv



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To

- 1.The XV Metropolitan Magistrate, GT Court, Chennai.
- 2.The Inspector of Police
H-4, Korukkupet Police Station,
Chennai.
3. The Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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