



Crl.O.P.No.6680 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2024

CORAM

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

Crl.O.P.No.6680 of 2024

Subramani @ Kutti

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
Chetpet Police Station,
Tiruvannamalai District.

(Crime No.81 of 2024)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.81 of
2024 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.Sathyaraj.E

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



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ORDER

The petitioner/accused in Crime No.81 of 2024, registered by the respondent for the offences under Sections 273, 328 and 511 of IPC and Sections 6(a) and 24(1) of COTPA Act, 2003, and remanded to judicial custody on 01.03.2024 with possession of 640 packets of banned tobacco products worth about Rs.5,840/-, seeks bail.

2.The one main objection raised on behalf of the respondent is the number of previous cases against the petitioner and on perusal of the same shows that there are fifteen previous cases against the petitioner, out of which, fourteen are under TNP Act.

3.Taking all the factors into consideration, I am inclined to grant bail to the petitioner subject to the following conditions:

4.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



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of the learned Judicial Magistrate, Polur, Tiruvannamalai District, 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.

[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.



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5.The learned Principal Sessions Judge, Tiruvannamalai, in his capacity as Chairman of the District Legal Services Authority, may examine the case of the petitioner, Subramani @ Kutti, accused in Crime No.81 of 2024, on the file of the Inspector of Police, Chetpet Police Station, Tiruvannamalai District, and examine whether there is possibility of reforming the petitioner and providing him with alternate avenues to pursue in life through the aegis of the Legal Services Authority.

19.03.2024

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C.V.KARTHIKEYAN. J.

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To



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1. The Judicial Magistrate, Polur, Tiruvannamalai District.
2. The Sub Jail, Tiruvannamalai.
3. The Inspector of Police,
Chetpet Police Station,
Tiruvannamalai District.
4. The Public Prosecutor,
High Court of Madras.

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