



Crl.O.P.No.7010 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2024

CORAM

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

Crl.O.P.No.7010 of 2024

Hukam Chand

...Petitioner/Accused-1

Vs.

State represented by
The Inspector of Police,
C-5, Kothavalchavadi Police Station,
Flower Bazaar.

(Crime No.75 of 2023)

...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.75 of
2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.S.Senthilvel

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



Crl.O.P.No.7010 of 2024

WEB COPY

ORDER

The petitioner/A1 in Crime No.75 of 2023, registered by the respondent for the offences under Sections 6 & 24(1) of COTPA Act and Section 328 of IPC and remanded to judicial custody on 28.02.2024 with possession of 538 kgs of banned tobacco products along with other accused, seeks bail.

2.As a matter of fact, this petitioner was granted bail but since he could not comply with the condition, the bail granted was cancelled and he had been remanded back to custody.

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 of the VIII Metropolitan Magistrate, George Town, Chennai, 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



Crl.O.P.No.7010 of 2024

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.

22.03.2024

ata

C.V.KARTHIKEYAN. J.

ata

To

3/4



Crl.O.P.No.7010 of 2024

WEB COPY

1. The VIII Metropolitan Magistrate, George Town, Chennai.
2. Central Prison, Puazhal, Chennai.
3. The Inspector of Police,
C-5, Kothavalchavadi Police Station,
Flower Bazaar.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.7010 of 2024

22.03.2024