



Crl.O.P.No.7058 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/A2 seeks anticipatory bail in Crime No.109 of 2024 registered by the respondent Police for the offences punishable under Sections 273 & 328 of IPC, 1860 and Section 20(2) of Cigarettes and Tobacco Products Act, 2003 and Section 77 of the Juvenile Justice (Care and Protection of Children Act).

2.It is stated that this petitioner and A1 were found in possession of, according to the respondent, 600 grams of banned tobacco products and according to the learned counsel for the petitioner, 480 grams of banned tobacco products.

3. It is also stated that A1 had been arrested and had been granted bail.

4.However, taking all the other factors into consideration this Court is inclined to grant anticipatory bail to the petitioner, but however,



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directing the petitioner to deposit an amount of Rs.10,000/- (Rupees Ten Thousand only) as non refundable deposit to the credit of Crime No.109 of 2024 before the learned Judicial Magistrate No.II, Cuddalore and on such deposit of the said amount, the learned Judicial Magistrate No.II, Cuddalore may hand it over to a responsible officer of the Government Hospital, Cuddalore District, for treating the needy patients.

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.II, Cuddalore**, on condition that the petitioner shall 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[a] the petitioner and 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 daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond 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]**.



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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