



WEB COPY



Crl.O.P.No.7777 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **28.03.2024**

CORAM

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

Crl.OP.No.7777 of 2024

Pandiyarajan @ Pandi

...Petitioner

Vs.

State rep by
The Inspector of Police,
Tiruppur North Police Station,
Tiruppur City,
Tiruppur District.
Cr.No.246 of 2024

...Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.246 of 2024 pending
investigation on the file of the respondent police.

For Petitioner : Mr.C.S.Saravanan

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

ORDER

The petitioner/accused in Crime No.246 of 2024 who was arrested
and remanded to judicial custody on 17.02.2024, registered by the



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respondent police for the offences under Section 273 of IPC and Section 24(1) of Cigarette and Other Tobacco Products Act seeks bail.

2. It is stated that the petitioner had been arrested and remanded to judicial custody on 17.02.2024 with possession of 77.500 kgs of banned tobacco products. He had actually sold the banned tobacco products to a 14 year child from whom that was recovered and later the child had pointed out the petitioner, who was the supplier.

3. The earlier application seeking bail was dismissed on 04.03.2024 in Crl.OP.No.5220 of 2024. Now, the investigation proceeded to a substantial extent, that is the significant change in circumstances.

4. Taking into consideration the period of incarceration and all other factors, this Court is inclined to grant bail to the petitioner subject to the following conditions.

5. 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**



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Thousand only) with two sureties each for a like sum to the satisfaction of the **learned Judicial Magistrate-I, Tiruppur** 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 deposit a sum of **Rs.25,000/- (Rupees Twenty Five Thousand)** to the credit of **Cr.No.246 of 2024** and on such deposit, the learned **Judicial Magistrate-I, Tiruppur** may hand it over to a responsible officials of Government Hospital at Tiruppur for treatment of needy patients.

[c] the petitioner shall report before the respondent Police, daily at 10.00 a.m., until further orders.

[d]the petitioner shall not abscond either during investigation or trial.

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



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[f] 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].

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

Vv

28.03.2024

To

1. The Judicial Magistrate-I,
Tiruppur.
2. The Inspector of Police,
Tiruppur North Police Station,
Tiruppur City,
Tiruppur District.
3. The District Prison,
Tiruppur.
4. The Public Prosecutor,
Madras High Court.



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C.V.KARTHIKEYAN, J.

Vv

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