



WEB COPY



Crl.O.P.No.7768 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **27.03.2024**

CORAM

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

Crl.OP.No.7768 of 2024

A. Selvakumar

...Petitioner/A2

Vs.

State rep by,
The Inspector of Police
V-4, Rajamangalam Police Station,
Rajamangalam, Chennai – 600 099.
Crime No.71 of 2024

...Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in FIR in Crime No.71 of 2024 on the file of the respondent police.

For Petitioner : Mr. N. Indiran

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 10.03.2024 for the offences registered under Sections 272, 273, 328 of



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I.P.C r/w Section 24(1) of Cigarette and Other Tobacco Products Act, 2003

in Crime No.71 of 2024, on the file of the respondent Police, seeks bail.

2.It is stated that the petitioner was found in possession of 1.040 kgs of banned tobacco product ,which had been seized.

3. Taking all the factors into consideration and the quantity of the contraband seized and the period of incarceration suffered by the petitioner, this Court is 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 **learned XIII Metropolitan Magistrate, Egmore, 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 their Aadhar card or Bank pass Book to



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ensure their identity.

[b] the petitioner shall report before the respondent Police, daily at 10.00 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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C.V.KARTHIKEYAN, J.

smv

To

1. The XIII Metropolitan Magistrate No.XIII, Egmore, Chennai.
- 2.The Inspector of Police
V-4, Rajamangalam Police Station,
Rajamangalam, Chennai – 600 099.
3. The Central Prison at Puzhal.
- 4.The Public Prosecutor, Madras High Court.

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