



Crl.O.P.No.12337 of 2024

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C.SARAVANAN, J.

The petitioner, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 328 of IPC r/w section 24(1) of Cigarette and other Tobacco Products Act, 2003 in Crime No.253 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner appears to have sold the banned tobacco products and based on the confession statement of the first accused, the petitioner has been arrayed as second accused in Crime No.253 of 2024. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent and perused the materials available on record.

5. Considering the fact that there are no records or no indication that the petitioner has previously involved in any crime, this Court is inclined to grant Anticipatory Bail to the petitioner subject to a condition that the petitioner is directed to donate a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the Women Lawyer Association, Madras High Court Campus, Chennai along with other conditions stipulated hereunder.

6. Accordingly, the petitioner is directed to donate a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** to the **Women Lawyer Association, Madras High Court Campus, Chennai**, and on production of proof for the same, 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



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the learned Metropolitan Magistrate Court X, Egmore, Chennai 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:

[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,



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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.

24.05.2024

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