



CrI.O.P.No.13786 of 2024

T.V.THAMILSELVI, J.

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The petitioner, who apprehends arrest for the alleged offences punishable under Sections 272, 273, 328 of IPC and 6(a), 24(1) COTPA Act, and 7, 9(ii) TNPOSS Act 2003 and 77 JJ Act, 2015 in Crime No.370 of 2024 on the file of the respondent/police, seeks anticipatory bail.

2.It is the case of the prosecution that on 27.05.2024 the defacto complainant Mrs.C.Nithya, Sub Inspector of Police lodged complaint against the petitioner for selling some illegal tobacco product in his shop. Hence the complaint.

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. He is ready to abide by any condition which may be imposed by this Court. Hence he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (CrI. Side) would submit that during the search the respondent police seized 349 pockets of Hans - 20 gms each, 60



pockets of coollip - 12.6 gms. each. The total property recovered from A1. The petitioner herein is the supplier of the above said band products. No previous case was registered against the petitioner. Hence he vehemently opposed for grant of anticipatory bail to the petitioner. In this case A1 absconded and died in a mystery manner. A1 is the A2's sister husband and he gave asylum to A1.

5.Heard the learned counsel for the petitioner, and the learned Government Advocate (CrI.Side) and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the petitioner is directed 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 XV Metropolitan Magistrate, George Town at 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 the petitioner, 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 Court concerned 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.20,000/- to the credit of Dhanabakkiammal Social Welfare Trust, D-3, 1/338, Vasantham Apartment, Sabari Salai, Madipakkam, Chennai – 91 A/C. No.921010003441816, Bank : Axis Bank, Branch : Madipakkam, IFSC Code : UTIB 0000083, Cell No.9840894264;

(c) the petitioner shall report before the respondent police on every alternate day at 10.30 a.m. for a period of two months;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond 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 Judge himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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