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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2024

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CrI.O.P.No. 17846 of 2024

1.N. Gela Ram
2.H.Naga Ram

... Petitioner

Vs.

State Rep by.
The Inspector of Police
Sulur Police Station,
Coimbatore District.
Crime No. 419 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the accused petitioner on bail in crime No. 419 of 2024 on
the file of the respondent police.

For Petitioners : Mr. C. Iyyappa Raj
For Respondent : Mr.V.Meganathan, B.A., B.L.,
Government Advocate (Crl. Side)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 31.05.2024 for the alleged offences punishable under Section 24(1) of (COTPA) Cigarette and Other Tobacco Products Act, 2003 Act and Sections 328 of IPC and in crime No. 419 of 2024 on the file of the respondent, seek bail.

2. The case of the prosecution is that the respondent police found the accused persons with the possession of 200 kgs of banned Tobacco Products. Hence, the case.

3. The learned counsel for the petitioners submit that the petitioners have been falsely implicated in this case. On the other side, the learned Government Advocate (Crl. side) submits that respondent police found the the accused persons with the possession of 200 kgs of banned Tobacco Products. Further, he stated that the investigation is almost completed.



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4. Considering the period of incarceration undergone by the petitioner and also the investigation is almost completed. Hence, this Court is inclined to grant bail to the petitioner.

5. Accordingly, the petitioners are ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties (one must be a blood surety)**, each for a like sum to the satisfaction of the **learned Judicial Magistrate Court, Sulur, Coimbatore**, 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 petitioners shall report before the respondent police on every Tuesday at 10.30 a.m., for a period of two months and thereafter as and when required for interrogation. Further, the petitioners shall deposit a sum of **Rs.50,000/-** each to the credit of **registered advocate clerks welfare association**,



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Coimbatore.

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

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T.V.THAMILSELVI,J.

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To

1. The **Judicial Magistrate Court, Sulur, Coimbatore**

2.The Inspector of Police
Sulur Police Station,
Coimbatore District.

3. The Central Jail, Coimbatore.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.17846 of 2024

26.07.2024