



Crl.O.P.No.20809 of 2024

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P.DHANABAL, J.

The petitioner apprehends arrest for the alleged offences under Sections 7(5) and 20(2) of Cigarette and other Tobacco Products Act 2003 r/w 328 of IPC in Crime No.111 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that during night patrol, near Pallikuppam railway station gate a vehicle was left unattended and when inspected, 1144 packets of Tobacco, 1248 packets of Vimal Pan Masala, 285 packets of Cool lips tobacco, 1000 packets of Hans tobacco and 180 packets of Swagat tobacco packets were seized. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner had not committed any offence as alleged and the petitioner had been falsely implicated in this case. He submitted that the petitioner was not present at the scene of occurrence and he is the owner of the vehicle and further, he is also ready and willing to furnish substantial



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imposed by this Court and therefore, he prayed to grant anticipatory bail to the petitioner .

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that during night patrol, in a vehicle banned tobacco products were seized and the petitioner is the owner of the vehicle and that there is no previous cases against the petitioner and also the products were seized and further, considering the gravity of offence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the representations made by both sides and considering the nature of offences charged against the petitioner and also considering the quantity of materials seized and further, taking into consideration of the fact that the petitioner is the owner of the vehicle and that there is no previous case pending as against the petitioner, this Court is inclined to grant **anticipatory bail** to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail



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(15) days from the date of receipt of a copy of this order before the

Judicial Magistrate No. V, Vellore 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 and on further condition that:

[a] the petitioner shall report **before the respondent police on every Saturday, for four weeks.**

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts of the Court or to any police officer.

[c] the petitioner shall not leave India without the previous permission of the Court.

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

[e] the petitioner shall make himself/herself available for interrogation by a police officer as and when required.



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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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

02.09.2024

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