



WEB COPY



Crl.O.P.No.29430 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.29430 of 2024

Pushpa

... Petitioner

Vs.

The Inspector of Police,
P-1, Puliyanthope Police Station.
Chennai District.
(Crime No. 607 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with **Crime No.607 of 2024**, pending investigation on the file of the respondent Police.

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of **Crime No.607 of 2024** registered for the offences punishable under Sections **24(1) of COTPA, 2003 R/w. Section 123 of BNS, 2023** is on board for consideration.



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2. The incarceration of the petitioner being from 27.10.2024 pleading innocence on the part of the petitioner and false implication in the case, the learned counsel for the petitioner seeks indulgence of this Court. He would submit that petitioner is 72-years of age. He would further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution, as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, submits that the petitioner was found in possession of 420 grams of banned tobacco products. He would further submits that the petitioner is a habitual offender having 21 previous cases.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned X



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Metropolitan Magistrate Court-Egmore, 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 petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, on everyday Saturday at 10.30 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 269 of B.N.S.

02.12.2024

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A.D.JAGADISH CHANDIRA.,J.

dsn

To

1. The X Metropolitan Magistrate Court-Egmore.
2. The Inspector of Police,
P-1, Puliyanthope Police Station.
Chennai District.
3. The Superintendent,
Special Prison for Women-Puzhal.
4. The Public Prosecutor,
High Court of Madras.

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