



Crl.O.P.No.27882 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2024

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.27882 of 2023

Moorthy

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Variety Hall Police Station,
Coimbatore District.
Crime No.220 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.220 of 2023 on the file of
the respondent.

For Petitioner : Mr.S.Ramesh

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 14.11.2023, for the offences registered under Sections 7(i) and 20(2) of



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the Cigarettes and other Tobacco Products Act, 2003 and 328 of IPC, in Crime No.220 of 2023 on the file of the respondent Police, seeks bail.

2. The petitioner is arrayed as A2. It is stated that from A1, 280 kgs of banned tobacco products have been secured and from this petitioner/A2, 7 kgs of banned tobacco products have been secured.

3. The learned counsel for the petitioner stated that the petitioner is innocent of the offences.

4. Taking into consideration the period of incarceration and all other surrounding factors, I am inclined to grant bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioner is ordered to be released on bail on condition to 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 learned Judicial Magistrate No.V, 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 petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.



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[c] the petitioner shall make a non-refundable deposit of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Dean, Government General Hospital, Coimbatore, for treatment of needy patients. The petitioner shall deposit the said amount on or before 19.01.2024.

[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 229A IPC.

04.01.2024

vkr

To

1.The Judicial Magistrate No.V, Coimbatore.

2.The Inspector of Police,
Variety Hall Police Station,
Coimbatore District.



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3.The Central Prison, Coimbatore.

4. The Public Prosecutor, High Court of Madras.

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