



Crl.O.P.No.28535 of 2023

Crl.O.P.No.28535 of 2023

WEB COPY

C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.789 of 2023 registered by the respondent Police for the offences punishable under Sections 7(5), 20(2) Cigarette and other Tobacco Products Act, 2003.

2. It is stated that 20 Kgs of banned tobacco products were seized from the house of the petitioner on 13.12.2023.

3. However, taking all the other factors into consideration and that there are no previous case against the petitioner herein, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate, Gudiyatham**, on condition that the petitioner shall execute a separate 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



Crl.O.P.No.28535 of 2023

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 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 three weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Dean, Government General Hospital, Vellore, for treatment of needy patients.

[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.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate



Crl.O.P.No.28535 of 2023

WEB COPY

action against the petitioner in accordance with law as if the conditions have been imposed and the petitioners 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 accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

03.01.2024

rjr



WEB COPY



CrI.O.P.No.28535 of 2023

C.V.KARTHIKEYAN, J.

rjr

CrI.O.P.No.28535 of 2023

03.01.2024