



WEB COPY



Crl.O.P. No.292 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2025

CORAM

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

Crl.O.P.No. 292 of 2025

Madan Singh

..Petitioner

Vs.

State rep. by
The Inspector of Police,
Kuniyamuthur Police Station,
Coimbatore District.
(Cr.No.466 of 2024)

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/accused on bail pending
investigation before the Inspector of Police, Kuniyamuthur Police Station,
Coimbatore.

For Petitioner : Mr.S. Ramesh

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

ORDER

Petition seeking bail in respect of Crime No.466 of 2024 registered for
the offences punishable under Section 24(1) of Cigarette and Other Tobacco



Cr1.O.P. No.292 of 2025

Products Act, 2003 and Section 123 of BNS, 2023 is on board for consideration.

2.The incarceration of the petitioner being from 15.12.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.**25,000/-** to any welfare scheme of the Government or any other organization. He also 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, is that the respondent Police, on a routine vehicle check-up, intercepted a car bearing Registration No. KL 10 AG 4848 and found 2 bags of banned tobacco products in the vehicle. On enquiry with the person in the car, who is the petitioner herein, the respondent Police came to know that he had purchased banned tobacco products from Bangalore and used to supply the same to petty shops in Coimbatore. The respondent Police seized 260.70kgs of banned tobacco products. He further submits that there is one previous case against the petitioner, which is similar in nature.

4.Considering the voluntary submission made by the learned counsel



Crl.O.P. No.292 of 2025

for the petitioner, the petitioner is directed to deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of the "**Little Drops - Public Charitable Trust, Account no - 05811010002400, IFSC - PUNB0058110 Punjab National Bank, Moulivakkam chennai. Mobile - 9176623342.**" without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

5.Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioner, 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 his 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 Judicial Magistrate No.7, 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 06.30 p.m., until further



Cr1.O.P. No.292 of 2025

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.

08.01.2025

sai



CrI.O.P. No.292 of 2025

WEB COPY

To

1. The Judicial Magistrate No.7,
Coimbatore.
2. The Inspector of Police,
Kuniyamuthur Police Station,
Coimbatore District.
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Cr1.O.P. No.292 of 2025

A.D.JAGADISH CHANDIRA, J.

sai

Cr1.O.P. No. 292 of 2025

08.01.2025