



Cr1.O.P.No.570 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2025

CORAM

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

Cr1.O.P.No.570 of 2025

Krishnamoorthi

... Petitioner

Vs.

State, Rep. by
The Inspector of Police
Tirupattur Taluk Police Station
Tirupattur District.
(Crime No.777 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.777 of 2024 on the file of the respondent Police.

For Petitioner : Mr.M.Premkumar

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

ORDER

Petition seeking bail in respect of Crime No.777 of 2024 registered for
the offences punishable under Sections 7(1), 20(1) of Cigarette and Other
Tobacco Products Acts 2003 and 275, 123 of BNS is on board for consideration.



CrI.O.P.No.570 of 2025

WEB COPY

2.The incarceration of the petitioner being from 25.12.2024 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.**10,000/-** 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 petitioner was found to be in possession of 33.610 kgs of banned tobacco products (Hans – 1620 packets, Cool Lips – 112 packets and Vimal Pan Masala – 30 packets).

4.Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the **“Rehoboth - Home for Mentally Challenged Homeless Women, No.22, Viswas Nagar, Koluthuvancherri, Paraniaputhur, Chennai, Punjab National Bank , Moulivakkam Branch, Account No. 05812010015060, IFSC Code : PUNB0058110 MICR Code : 600024081”** without prejudice to the right of



Cr1.O.P.No.570 of 2025

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 II, Tirupattur, 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 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;



WEB COPY



Cr1.O.P.No.570 of 2025

[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.

20.01.2025

sai



WEB COPY



Crl.O.P.No.570 of 2025

A.D.JAGADISH CHANDIRA, J.
sai

To

1.The Judicial Magistrate II,
Tirupattur

2.The Inspector of Police,
Tirupattur Taluk Police Station
Tirupattur District.

3.The Superintendent,
Sub Jail, Tirupattur.

4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.570 of 2025

20.01.2025