



Crl.O.P.Nos.1739 & 1741 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

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

Crl.O.P.Nos.1739 & 1741 of 2025

Manohar Singh ... Petitioner in Crl.O.P.No.1739 of 2025

Lathif Khan ... Petitioner in Crl.O.P.No.1741 of 2025

Vs.

The State represented by,
The Inspector of Police,
Kalavai Police Station,
Ranipet. (Crime No.211 of 2024). ... Respondent in both Crl.O.Ps.

Common Prayer : Criminal Original Petitions filed under Section 483 of BNSS, pleased to enlarge the petitioners on bail, in connection with Crime No.211 of 2024, pending investigation on the file of the respondent Police.

In both Crl.O.Ps.,

For Petitioners : Mr.M.Jaisingh

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

COMMON ORDER

Petition seeking bail in respect of Crime No.211 of 2024 registered for the offences punishable under Sections 7(5), 20(2) of the Cigarette and Other Tobacco Products Act, 2003 & Section 123 of BNS, is on board for consideration.



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2. The incarceration of the petitioners/A3 & A2 respectively being from 29.10.2024, pleading innocence on the part of the petitioners and false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. He further submits that this is the second application for bail filed by the petitioners and since the petitioners were detained under Act 14, their first bail application was closed. He also submits that the detention orders dated 27.11.2024 passed against the petitioners were also set aside by this Court vide orders dated 03.01.2025 and 08.01.2025 respectively. He further submits that the first accused in this case has been enlarged on bail by the Principal Sessions Court, Ranipet and the petitioners are ready to abide by any stringent conditions 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 accused were found to be in illegal possession of 685 kilograms of banned tobacco products. He further submits that there is no previous case against these petitioners and this is their second bail application. He also submits that the case is under investigation.

4. Having heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) for the respondent Police and perused



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the materials available on record and considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions and accordingly, the petitioners are ordered to be released on bail on their executing separate bond each 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 **District Munsif cum Judicial Magistrate, Arcot**, 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 petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the



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A.D.JAGADISH CHANDIRA.,J.

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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];***

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

30.01.2025

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To

1. The District Munsif cum Judicial Magistrate, Arcot.
2. The Inspector of Police,
Kalavai Police Station,
Ranipet.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.

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