



CrI.O.P.No.1831 & 1835 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2025

CORAM

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

CrI.O.P.Nos.1831 & 1835 of 2025

N.Murugesan ... Petitioner in CrI.OP.No.1831 of 2025

Ahamad Bazeer ... Petitioner in CrI.OP.No.1835 of 2025

Vs.

State, Rep. by the Inspector of Police

Ariyalur Police Station

Ariyalur District. (Crime No.7 of 2025)

... Respondent

PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime No.7 of 2025 on the file of the respondent Police.

For Petitioner : Mr.K.Gandhi Kumar

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

COMMON ORDER

Petition seeking bail in respect of Crime No.7 of 2025 registered for the offences punishable under Sections 123 of BNS and under Sections 6(a), r/w.24(1) of COTPA, 2003 is on board for consideration.

2.The incarceration of the petitioners being from 03.01.2025 & 04.01.2025 respectively 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 also submits that the petitioners, without prejudice to the



CrI.O.P.No.1831 & 1835 of 2025

WEB COPY

defence and contention, are ready and willing to deposit a sum of Rs.20,000/- each to any welfare scheme of the Government or any other organization. He also submits that the petitioners are 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 petitioners were found to be in possession of 30 kgs of banned tobacco products, worth about Rs.1,50,000/-.

4.Considering the voluntary submission made by the learned counsel for the petitioner, the petitioners are directed to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) each to the credit of the "**Light Social Welfare Trust, Canara Bank, Arumuganeri Branch, A/c.No.1102101018391 IFSC Code : CNRB0001102**" 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 petitioners 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 petitioners, this court is inclined to grant bail to the petitioners



Crl.O.P.No.1831 & 1835 of 2025

WEB COPY

with certain conditions and accordingly, the petitioners are ordered to be released on bail on their 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.1, Ariyalur, 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 06.30 p.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 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 absconds, a fresh FIR can be registered under Section 269 of B.N.S.

28.01.2025

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To

1.The Judicial Magistrate No.1,
Ariyalur

2.The Inspector of Police,
Ariyalur Police Station
Ariyalur District.

3.The Superintendent,
Sub Jail, Ariyalur.

4.The Public Prosecutor,
High Court of Madras.



CrI.O.P.No.1831 & 1835 of 2025

A.D.JAGADISH CHANDIRA, J.
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CrI.O.P.Nos.1831 & 1835 of 2025

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