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Crl.O.P.No.2260 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

CORAM

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

Crl.O.P.No.2260 of 2025

Bakrudeen

... Petitioner

Vs.

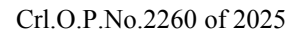
The State Represented by,
The Inspector of Police,
Pollachi West Police Station,
Pollachi,
Coimbatore District.
(Crime No.572 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioners on bail, in connection with Crime No.572 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr. M.N. Balakrishnan

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



ORDER

2. The incarceration of the petitioner being from 07.12.2024 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 is innocent and no way connected with the alleged offence. He also submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. He further submits that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.5,000/- to any welfare scheme of the Government or any other organization.

3. The case of the prosecution as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that on 07.12.2024, while the respondent police were conducting vehicle inspection duty, they found that the accused person



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had involved in illegal transportation of banned tobacco products purchased from Kerala, based on his confession, it is revealed that the petitioner and other accused persons were in possession of banned tobacco products, used for illegal selling. He also submitted that the total quantity of banned tobacco products involved in this case is about 23 kilograms and the petitioner herein arrayed as A2 and he has two previous cases of similar nature.

4. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.5,000/- (Rupees Five Thousand only)** to the credit of **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 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, the learned Government Advocate (Criminal Side) for the respondent Police and perused



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the materials available on record and taking note of 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, Pollachi** 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 10.30 a.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;



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[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.

30.01.2025

stn

To

1. The Learned Judicial Magistrate - II,
Pollachi.
2. The Inspector of Police,
Pollachi West Police Station,
Pollachi, Coimbatore District.
3. The Superintendent,
Central Prison,
Coimbatore.



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A.D.JAGADISH CHANDIRA, J.

stn

4. The Public Prosecutor,
High Court of Madras.

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