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Crl.O.P.No.2174 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.2174 of 2025

Hariharan

... Petitioner

Vs.

State Rep. by,
The Inspector of Police,
B2 RS Puram Police Station,
Coimbatore District.
(Crime No.25 of 2025).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail, in Crime No.25 of 2025, on the file of the respondent.

For Petitioner : Mr.R.Parthiban

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

ORDER

Petition seeking bail in respect of Crime No.25 of 2025 registered for the alleged offences punishable under Sections 6 r/w. 24(1) of the Cigarette and Other Tobacco Products Act, 2003 and Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and 123 of BNS, is on board for consideration.



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2. The incarceration of the petitioner/A3 being from 17.01.2025 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 further submits that the petitioner is in no way connected with the alleged offence, however, without prejudice to the defence and contention, the petitioner is ready and willing to deposit a sum of Rs.20,000/- 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 accused were found to be in illegal possession of 11 kilograms of banned tobacco products with an intention to sell the same to juveniles. He further submits that three previous cases are pending against the petitioner.

4. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** to the credit of "**District Legal Services Authority, Coimbatore District**", without prejudice to the right of defence before the trial Court and making it clear that it would not amount to admission of guilt.



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5. Further, having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, 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 (out of which, one of the sureties should be either the father or mother of the petitioner)**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, 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 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;

A.D.JAGADISH CHANDIRA.,J.

