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Crl.O.P.No.3378 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.3378 of 2025

Jaya

... Petitioner/A1

Vs.

The State represented by,
The Inspector of Police,
Auroville Police Station,
Villupuram District.
(Crime No.16 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.16 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.K.Selvaraj

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 11.01.2025, seeking bail in Crime No.16 of 2025 registered for the offence under Sections 274, 275, 123 of BNS,



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2023, Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015, Sections 24(1), 6(a), 6(b) of Cigarette and other Tobacco Products Act, 2003.

2. The case of the prosecution is that the petitioner/A1 is running a bunk shop and was found in possession of 12.816 Kgs of banned tobacco products and A2 and A3 in this case were found in possession of 158 kgs of banned tobacco products.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case. He also submitted that the petitioner is in custody from 11.01.2025 and she is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instructions submitted that there are no previous cases against the petitioner and that the co-accused have been arrested.



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5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the nature of allegation, period of incarceration, the fact that the co-accused have been arrested; and that since, her further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her 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, Vanur** 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;



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[d] the petitioner 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 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 B.N.S.

12.02.2025

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To

1. The Judicial Magistrate,
Vanur.
2. The Inspector of Police,
Auroville Police Station,
Villupuram District.
3. The Superintendent,
Sub-Jail for Women, Cuddalore.
4. The Public Prosecutor,



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High Court of Madras.



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SUNDER MOHAN., J.

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