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Crl.O.P.No.3850 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2025

CORAM

THE HON'BLE MR. JUSTICE G.K. ILANTHIRAIYAN

Crl.O.P.No.3850 of 2025

Pandiyammal

... Petitioners

Vs.

The State Rep. by
Inspector of Police
C2 Selvapuram Police Station
(Crime No.27 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the Petitioner on bail in Crime No.27 of 2025, on the file of the respondent Police.

For Petitioner : Mr.R.Prabakar

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 26.01.2025, seeking bail in Crime No.27 of 2025 registered for the offence under Section 24(1) of COTPA Act 2003, Section 123 of BNS and Section 77 of JJ Act.

2.The case of the prosecution is that the Petitioner was found to be in



possession of 2.550 kgs of banned tobacco products.

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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 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.Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case. The learned Government Advocate further submitted that there are three previous cases against the petitioner.

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 allegations, period of incarceration undergone by the petitioner, 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.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Coimbatore, and on further conditions that:



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[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 deposit a sum of Rs.25,000/- (Rupees twenty five thousand) to Arignar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram.

[c] the Petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required;

[d] the Petitioner shall not abscond either during investigation or trial;

[e] the Petitioner shall not tamper with evidence or witness either during investigation or trial;

[f] 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]***;

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

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G.K. ILANTHIRAIYAN, J.

sai

To

1.The Judicial Magistrate No.1,
Coimbatore

2.The Inspector of Police
C2 Selvapuram Police Station

3.The Superintendent,
Central Prison, Coimbatore.

4.The Public Prosecutor,
High Court of Madras.

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