



WEB COPY

Crl.O.P.No.3739 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3739 of 2025

C.Perumal

... Petitioner/ Accused

Vs.

State through

The Inspector of Police,

H-8, Thiruvottiyur Police Station,

Chennai - 600 019.

(Crime No.151 of 2025)

... Respondent

PRAYER: This Criminal Original Petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.151 of 2025 on the file of the respondent police.

For Petitioner : Mr.K.Shahul Hameeth

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 25.01.2025, seeking bail in Crime No.151 of 2025 registered for the offence under Sections 123 of BNS Act, 2023 read with Section 328 of IPC, 20(1) of COTPA Act.



WEB COPY

2.The case of the prosecution is that the petitioner along with other accused was found in illegal possession of banned tobacco products worth about Rs.1000/-. Hence, the case.

3.Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is in custody from 25.01.2025. Hence, he prayed for grant of bail to the petitioner.

4.Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner has one previous case. Hence, he opposed for grant of bail to 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 facts and circumstances of the case and also



considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

WEB COPY

7. Accordingly, the petitioner is ordered to be released on bail on his 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, Thiruvottiur, Chennai** 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., for a period of two weeks and thereafter as and when required for interrogation;

[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;



WEB COPY



[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.

14.02.2025

Sma

Copy to:

1. The Judicial Magistrate,
Thiruvottiyur, Chennai.
2. The Inspector of Police,
H-8, Thiruvottiyur Police Station,
Chennai - 600 019.
3. The Superintendent,
Central Prison -II, Puzhal, Chennai.
4. The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN, J.



WEB COPY

Crl.O.P.No.3739 of 2025



sma

Crl.O.P.No.3739 of 2025

14.02.2025