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Crl.O.P.No.3741 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2025

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3741 of 2025

Veerappan

... Petitioner/ Accused

Vs.

State through

The Inspector of Police,

Ananthapuram Police Station,

Villupuram District.

(Crime No.31 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.31 of 2025 on the file of the respondent police.

For Petitioner : Mr.V.R.Appaswamee

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 01.02.2025, seeking bail in Crime No.31 of 2025 registered for the offence under Sections 123, 274, 275 of BNS (Section 328, 272 & 273 of IPC) read with Section 24(1) of Cigarettes and other Tobacco Products Act, 2003.



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2.The case of the prosecution is that the petitioner along with other accused was found in illegal possession of banned tobacco products (8 packets of Hans and 21 packets of Cool Lip). 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 01.02.2025. 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 two previous cases. 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.

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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, Gingee** 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;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate



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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

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Copy to:

1. The Judicial Magistrate,
Gingee
2. The Inspector of Police,
Ananthapuram Police Station,
Villupuram District.
3. The Superintendent,
Sub Jail, Gingee.
4. The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN, J.

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