



WEB COPY



Crl.O.P.No.3858 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.3858 of 2025

Rajesh

... Petitioners

Vs.

The State Rep. by
Inspector of Police
Palladam Police Station
Tiruppur District
(Crime No.108 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the Petitioner on bail in Crime No.108 of 2025, on the file of the respondent Police.

For Petitioner : Mr.N.Ponraj

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 22.01.2025, seeking bail in Crime No.108 of 2025 registered for the offence under Section 123, 274 and 275 of BNS (328, 272 and 273 of IPC) and 24(1) of COTPA act.

2.The case of the prosecution is that the Petitioner along with other



accused was found to be in possession of 26.338 kgs of banned tobacco products.

WEB COPY

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 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 two accused in this case and the petitioner is A2.

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 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, Palladam, and on further conditions that:



Crl.O.P.No.3858 of 2025

[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.50,000/- (Rupees fifty thousand only) 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.

14.02.2025

sai



WEB COPY



CrI.O.P.No.3858 of 2025

G.K. ILANTHIRAIYAN, J.

sai

To

1.The Judicial Magistrate, Palladam

2.The Inspector of Police
Palladam Police Station
Tiruppur District

3.The Superintendent,
Sub Jail, Palladam

4.The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.3858 of 2025

14.02.2025