



Crl. O.P. No.7638 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7638 of 2025

1. Premkumar S/o. Panneer Selvam
2. Saravana Kumar S/o. Sankar
- 2

... Petitioners/ Accused 1 &

Vs.

The State represented by-

The Inspector of Police,
Salem Town Police Station,
Salem.
(Crime No.228 of 2025).

... Respondent

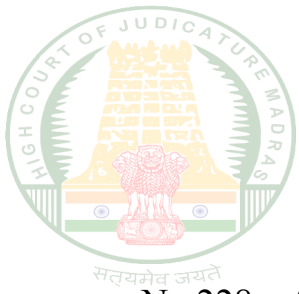
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.228 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. K. Mugesh Pandian

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

ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 01.03.2025, seeking bail in Crime



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No.228 of 2025 registered for the offences under Sections 7 and 24(1) of Cigarette and other Tobacco Products Act, 2003 and Section 123 of B.N.S.

2. The case of the prosecution is that the petitioner was found to be in illegal possession of banned tobacco products viz., Ganesh 701 Tobacco - 273 pockets, Bullet Rani Pan Masala - 100 pockets, Sardar - 140 Tobacco - 63, Pockets Sardar - 340 and Zarada - 20. Hence the case.

3. Learned counsel appearing for the petitioner submitted that petitioners are in custody from 01.03.2025; and that since the contraband has been seized, further custody of the petitioners is not required and hence prayed for grant of bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioners, submitted that the petitioners have no bad antecedents.

5. Considering the nature of allegations, period of incarceration, contraband has been seized, the petitioners have no bad antecedents and since further custody is not required for the purpose of investigation, this Court is inclined to grant bail



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to the petitioners with certain conditions.

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6. Accordingly, the petitioners are ordered to be released on bail on their 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-I, Salem.**

[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 petitioners shall report before the respondent Police, everyday at 10.30 a.m., for a period of one week and thereafter as and when required for interrogation;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

17.03.2025

mjs

To

1. The Judicial Magistrate-I, Salem.
2. The Inspector of Police, Salem Town Police Station, Salem.
3. The Central Jail, Salem.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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