



Crl. O.P. No.8035 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.8035 of 2025

Mani, M/50 years
Son of Vediappan

... Petitioner/Accused

Vs.

The State represented by
The Inspector of Police,
Karimangalam Police Station,
Dharmapuri District.
Crime No.111 of 2025

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to
enlarge the petitioner on bail, in connection with the Crime No.111 of 2025, on
the file of the respondent Police.

For Petitioner : Mr. J. Bharathi Raja

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



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ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 10.03.2025, seeking bail in Crime No.111 of 2025 registered for the offences punishable under Section 123 of BNS, 2023, r/w Section 24(1) of COTPA Act.

2. The case of the prosecution is that based on secret information, the respondent police recovered banned tobacco products from the grocery shop run by the petitioner. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent; that the allegations against the petitioner are false; that the petitioner is no way connected with the alleged offence and that in any case, further custody of the petitioner is not required and prayed that the petitioner may be released on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and on instructions, submitted that contraband has been seized and that there is no previous case against the



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petitioner.

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5. Considering the fact that there is no previous case against the petitioner, the period of incarceration, the fact that the contraband was seized and that since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his 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 II, Dharmapuri**, 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, daily at 10.30 a.m., until further orders;



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[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 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 B.N.S.

19.03.2025

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To

1. The Judicial Magistrate II, Dharmapuri.
2. The Inspector of Police,
Karimangalam Police Station,
Dharmapuri District.
Crime No.111 of 2025
3. The Superintendent, District Jail, Dharmapuri
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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