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Crl. O.P. No.8503 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl. O.P. No.8503 of 2025

Srinivasulu.S @ Mathan S/o. Thiruppal Reddy

... Petitioner/Accused-2

Vs.

The State represented by-

The Inspector of Police,
D3 Ice House Police Station,
Chennai.
(Crime No.78 of 2025).

... Respondent

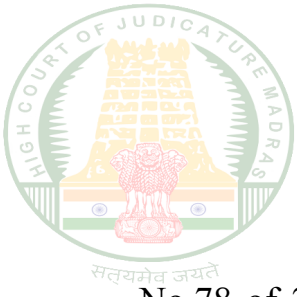
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.78 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.P. Thinesh

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 20.02.2025, seeking bail in Crime



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No.78 of 2025 registered for the offences under Section 24(1) of Cigarette and other Tobacco Products Act, 2003 read with Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015 read with Sections 132 and 351(2) of B.N.S.

2. The case of the prosecution is that the A1 was found to be in illegal possession of 35 pockets of Hans and a sum of Rs.11,700/-. A1 was arrested and based on his confession, the petitioner has been implicated.

3. Learned counsel appearing for the petitioner submitted that petitioner is in custody from 20.02.2025; that he has been implicated based on the confession of the co-accused and that since the contraband has been seized from the co-accused, further custody of the petitioner 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 petitioner, reiterated the prosecution case and on instructions submitted that the petitioner has no bad antecedents.



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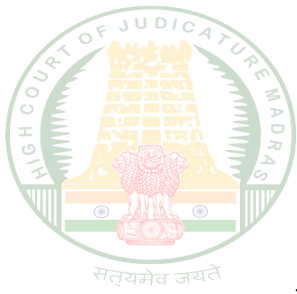
5. Considering the nature of allegations, period of incarceration, the fact that the contraband has been seized, the petitioner has no bad antecedents, he has been implicated based on the confession of the co-accused and since further custody is not required for the purpose of investigation, this Court 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 **II Metropolitan Magistrate, Egmore, Chennai.**

[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., until further orders;

[c] the petitioner shall not abscond either during



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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.

20.03.2025

mjs

To

1. The II Metropolitan Magistrate, Egmore, Chennai.
2. The Inspector of Police, D3 Ice House Police Station, Chennai.
3. The Superintendent of Police, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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