



Crl.OP.No.12007 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 22.04.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.12007 of 2025

Somasundaram ... Petitioner(s) /Accused

Vs.

State rep. by Inspector of Police,
North Police Station,
Tirupur City.

... Respondent(s)/ Complainant

Crime No. 378 of 2025.

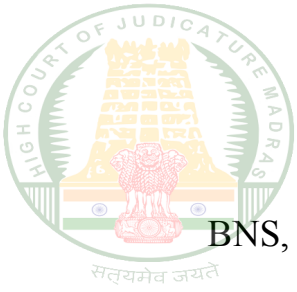
Prayer: Criminal Original Petition filed under Section 483 of BNSS 2023,
to enlarge the petitioner on bail in Crime No.378 of 2025 on the file of the
respondent police.

For petitioner(s) : Mr.R.Rajprabhu

For Respondent(s) : 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 30.03.2025, seeking bail
in Crime No.378 of 2025 registered for the offences under Section 123 of



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BNS, 2023 r/w Section 22(a) of COTPA Act.

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2. The case of the prosecution is that, the petitioner was found to be selling banned tobacco products in his vehicle.

3. Learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case and prayed for bail for 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 and on instructions submitted that the petitioner has no bad antecedents.

5. Considering the nature of allegations; the fact that the petitioner has no bad antecedents; and since further custody of the petitioner is not required, 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 No.1, Tiruppur, Tiruppur District**, 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., until further orders;

[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



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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.

22.04.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
skr



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- To
1. Inspector of Police,
North Police Station,
Tirupur City.
 2. The Public Prosecutor,
Madras High Court,
Chennai.
 3. Learned Judicial Magistrate No.1, Tiruppur, Tiruppur District.
 4. The Superintendent of Prison,
Central Prison, Tiruppur.



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SUNDER MOHAN, J.

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