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Crl.OP.No.12260 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.12260 of 2025

Dhanajayan @ Settu ... Petitioner(s) /Accused

Vs.

State rep. by the Inspector of Police,
Paradarami Police Station,
Paradarami, Vellore District. ... Respondent(s)/ Complainant
Crime No.32 of 2025.

Prayer: Criminal Original Petition filed under Section 483 of BNSS 2023,
to enlarge the petitioner on bail pending investigation in Crime No.32 of
2025, on the file of the Inspector of Police, Paradarami Police Station,
Paradarami, Vellore District.

For petitioner(s) : G.Vinodhkumar

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who



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was arrested and remanded to judicial custody on 08.04.2025, seeking bail in Crime No.32 of 2025 registered for the offences under Sections 7(5) and 20(2) of COTPA Act r/w Section 123 of BNS (Section 328 of IPC).

2. The case of the prosecution is that, the petitioner was found in possession of 419 grams of of banned tobacco products.

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 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 and on instructions submitted that there is one previous case against the petitioner and he is on bail in that case.

5. Considering the nature of allegations; period of incarceration, and since further custody of the petitioner 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, Gudiyatham**, 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;



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[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.

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Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
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- To
1. Inspector of Police,
Paradarami Police Station,
Paradarami, Vellore District.
 2. The Public Prosecutor,
Madras High Court,
Chennai.
 3. Learned Judicial Magistrate, Gudiyatham
 4. The Superintendent of Prison,
Central Prison, Vellore.



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SUNDER MOHAN, J.

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