



Crl. O.P. No.13634 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

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S. Murugan S/o. Subbiah

... Petitioner/Accused

Vs.

The State represented by-

The Inspector of Police,
G-5 Secretariat Colony Police Station,
Chennai.
(Crime No.95 of 2025).

... Respondent

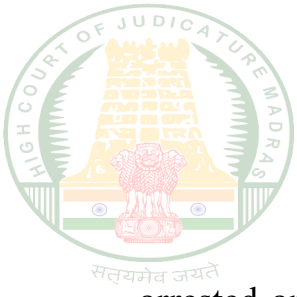
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.95 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.N. Selvarajan

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

ORDER

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



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arrested and remanded to judicial custody on 16.04.2025, seeking bail in Crime No.95 of 2025 registered for the offences under Sections 123 and 275 of B.N.S. and Section 24(1) of Cigarette and other Tobacco Products Act, 2003.

2. The case of the prosecution is that based on secret information, the petitioner was found in possession of 300 grams of banned Tobacco products in his shop for sale. Hence the case.

3. Learned counsel appearing for the petitioner submitted that petitioner is an innocent; that he is in custody from 16.04.2025; and that since the contraband has been seized, 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 12 previous cases, out of which, 4 cases are similar in nature; and that the petitioner is on bail in all those previous cases.



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5. Considering the nature of allegations, period of incarceration, contraband has been seized, the petitioner is on bail in other previous cases 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 investigation or trial;

[d] the petitioner shall not tamper with evidence or



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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.

29.04.2025

mjs

To

1. The II Metropolitan Magistrate, Egmore, Chennai.
2. The Inspector of Police, G-5 Secretariat Colony 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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