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Crl. O.P. No.13517 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl. O.P. No.13517 of 2025

1. Dhanraj Parihar S/o. Kailash Ji
2. Dilip Singh S/o. Jhala Ram

... Petitioners / Accused

Vs.

The State represented by-

The Inspector of Police,
Vadalur Police Station,
Cuddalore District.
(Crime No.107 of 2025).

... Respondent

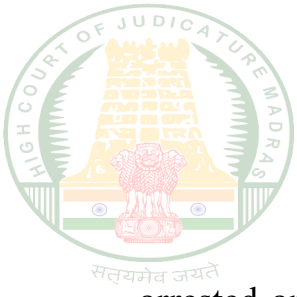
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.107 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : Mr. P.M. Jayachandran

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

ORDER

This Criminal Original Petition has been filed by the petitioners, who were



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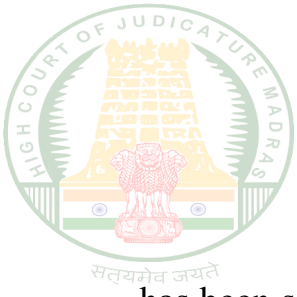
arrested and remanded to judicial custody on 18.04.2025, seeking bail in Crime No.107 of 2025 registered for the offences under Sections 286 and 123 of B.N.S. and Sections 24(1) and 6(b) of Cigarette and other Tobacco Products Act, 2003.

2. The case of the prosecution is that the petitioners along with other accused had illegally transported 150 kgs of banned Tobacco products in their vehicle bearing Registration No.TN49-BE-6946. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioners are innocent; that they are arrayed as A4 and A5; that they are in custody from 18.04.2025; and that since the contraband has been seized, further custody of the petitioners 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 petitioners, reiterated the prosecution case and on instructions submitted that A4 has no bad antecedents and A5 has one similar case, in which, he is on bail.

5. Considering the nature of allegations, period of incarceration, contraband



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has been seized, the fact that the 1st petitioner/A4 has no bad antecedents and the 2nd petitioner/A5 is on bail in other previous case and since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond, each 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 **District Munsif-cum-Judicial Magistrate, Kurinjipadi**.

[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 petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 District Munsif-cum-Judicial Magistrate, Kurinjipadi.
2. The Inspector of Police, Vadalur Police Station, Cuddalore District.
3. The Sub Jail, Cuddalore.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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