



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2025

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THE HON'BLE MR. JUSTICE M. NIRMAL KUMAR

CrI.O.P. No.13526 of 2025

Vijayakumar

..Petitioner/
Accused No.2

/versus/

State By,
The Inspector of Police,
Vellimedupettai Police Station,
Villupuram District,
Crime No.54 of 2025

.. Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 483 of BNSS Act
pleased to enlarge the petitioner on bail in Crime No.54 of 2025 on the file
of the Inspector of Police, Vellimedupettai Police Station, Villupuram
District.

For Petitioner : Mr.S.Silambuselvan

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



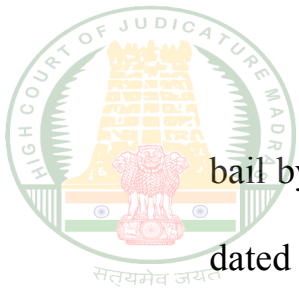
ORDER

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Petition seeking bail in connection with Crime No.54 of 2025 registered for the alleged offences punishable under Sections 112(2), 123, 274, 275 of BNS 2023 (u/S 328,272,273,of IPC) r/w Section 24(1) of COTPA Act is on board for consideration.

2. The case of the prosecution is that the first accused was running a grocery shop in the village and was found in possession of 10 packets of Hans tobacco products. Based on the confession of A1, it was revealed that he used to purchase tobacco products from the petitioner/A2. A motorcycle bearing registration number TN 32 AX 0803, along with 328 pieces of Cool Lip, 600 pieces of Vimal, and 600 pieces of VI, was seized from the petitioner/A2. The petitioner/A2 confessed that he used to purchase these products from A3 and sell them to interested buyers. Hence, the present complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the co-accused/A1 and A3 were granted



bail by the Principal Sessions Judge, Villupuram in C.M.P.No.1839 of 2025 dated 30.04.2025. The petitioner is in the judicial custody from 17.04.2025 and he is ready to abide by any stringent conditions, that may be imposed by this Court and prayed for bail to the petitioner.

4. The learned counsel appearing for the petitioner submitted that the petitioner to show his bonafide is ready and willing to deposit a sum of Rs.10,000/- to the Cancer Institute(WIA), Adayar.

5. The learned Government Advocate (Criminal Side), appearing for the respondent, submitted upon instruction that the petitioner is the owner of the consignment and he is having six previous cases. The case property has been recovered from the accused.

6. Taking into consideration the facts and circumstances of the case, considering the nature of allegation against the petitioner, the submissions made by the learned counsels on either side and taking note of the fact that the co-accused/A1 and A3 were already granted bail by the trial Court and also the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner



is ordered to be released on bail with the following stringent conditions:

(1)The petitioner shall deposit a sum of Rs.10,000/-(Rupees Ten Thousand only) (Non refundable) towards the account of CANCER INSTITUTE (WIA),Adayar, Savings Bank Account maintained at Andhra Bank, Madhya Kailash Branch, Cancer Institute(WIA), Dr.S.Krishnamurthi Campus, Sardar Patel Road, Chennai-36, bearing SB Account No.149710011005477, IFS Code No.ANDB0001497, Branch Name and Code 1497, MICR No.600011049 and to produce the Bank Challan before the Judicial Magistrate No.1, Tindivanam and the receipt shall be produced at the time of executing the bond;

(2) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Thindivanam;

(3) The petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of 30 days (including holidays)and thereafter, as and when required for interrogation.

(4) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Metropolitan Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(5) The petitioner shall make himself available for interrogation by a Police Officer as and when required;



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(6) The petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses;

(7) The petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

(8) On breach of any of the aforementioned conditions, the learned Metropolitan Magistrate is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].

(9) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

14.05.2025

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Note:-

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**



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M. NIRMAL KUMAR, J.

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- 2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.**

To

1.The Judicial Magistrate No.1, Thindivanam.

2.The Inspector of Police,
Vellimedupettai Police Station,
Villupuram District(Crime No.54 of 2025)

3.The Superintendent, Sub Jail, Thindivanam.

4.The Public Prosecutor, High Court, Madras.

Crl.O.P. No.13526 of 2025

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