



Crl.O.P.No. 15590 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21.05.2025**

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

CRL.O.P.No.15590 of 2025

1.Santhoshkumar

2.Jeganraj

... Petitioner/Accused 2 & 3

Versus

The State Rep by its
The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.
(Crime No. 235 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail, in Crime No.235 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : M/s.R.Raji

For Respondent : Mr.V.J.Priyadarsana
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioner/Accused 2 & 3 who were arrested and remanded to judicial custody on 07.05.2025, seeking bail



Crl.O.P.No. 15590 of 2025

in Crime No.235 of 2025 registered for the offence under Sections 123 of BNS

2023 r/w Section 24(1) of Cigarette and other Tobacco Product Act, 2003.

2. The case of the prosecution is that the petitioners were found in illegal possession of 1.640 kilograms of banned tobacco products.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He would further submit the petitioners are in custody from 07.05.2025. He further submitted that the petitioners, without prejudice to their rights, are ready to deposit a sum of Rs.5,000/- to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the grant of bail, reiterated the prosecution case and submitted that the contraband has been seized.

5. Heard learned counsel on either side and perused the materials available



Crl.O.P.No. 15590 of 2025

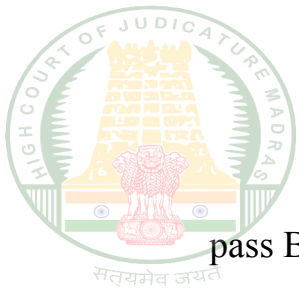
on record.

WEB COPY

6. Considering the nature of allegations, period of incarceration, the fact that the contraband has been seized and since further custody of the petitioners is not required for the purpose of interrogation, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, considering the voluntary submission, the petitioners are directed to deposit a sum of **Rs.5,000/-** (Rupees Five thousand only) as non-refundable deposit either through RTGS/NEFT/cash/demand draft in favour of **The Dean, Stanley Government Medical College and Hospital, Chennai, bearing A/c. No.39219285071, State Bank of India, Old Jail Road, Stanley Hospital, IFSC:SBIN0001476**, without prejudice to his defence before the trial Court and on such deposit, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Ulundurpet**, 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



Crl.O.P.No. 15590 of 2025

pass Book to ensure their identity;

WEB COPY

[b] the petitioner shall report before the jurisdictional Magistrate from Monday to Friday at 10.30 a.m., and shall appear before the respondent Police on Saturday and Sunday 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 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.

21.05.2025

dpa/skr

Note:



WEB COPY



Crl.O.P.No. 15590 of 2025

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

2. The Superintendent, Sub Jail,
Ulundurpet.

3.The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.

4.The Public Prosecutor,
High Court, Madras.

N.SENTHILKUMAR, J.

dpa/skr



WEB COPY



Crl.O.P.No. 15590 of 2025

Crl.O.P.No.15590 of 2025

21.05.2025