

**CRL.OP.No.16432 of 2025**

M.NIRMAL KUMAR., J.

Today, this matter is listed under the caption “for being mentioned” at the instance of the learned counsel for the petitioner.

2. The learned counsel appearing for the petitioner would submit that in the order dated 06.06.2025 in the above Original Petition, in 9th line of paragraph No.7 (b) of the said order, it has been inadvertently mentioned as "*Bank Challan before the District Munsif cum Judicial Magistrate, Pochampalli*" and the same requires to be rectified.

3. In view of the above, Registry is directed to replace the sentence "*Bank Challan before the District Munsif cum Judicial Magistrate, Pochampalli* " as "***Bank Challan before the Judicial Magistrate-I, Vellore***" in the 9th line of paragraph No.7 (b) of the order dated 06.06.2025.

4. Except the above, other directions remains intact.

5. Registry is directed to make necessary corrections in the order dated 06.06.2025 and issue fresh order copy forthwith to the parties concerned.

11.06.2025

Note: Issue order copy on 11.06.2025



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M.NIRMAL KUMAR. , J.

gv

CRL.OP.No.16432 of 2025

11.06.2025



WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16432 of 2025

Idrees

... Petitioner/A1

Vs.

State Rep. by
The Inspector of Police,
Ariyoor Police Station,
Vellore,
(Crime No.79 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with Crime No.79 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Jayakumar

For Respondent : Mr.L.Baskaran
Government

Advocate

(Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.05.2025, for the offence punishable under Sections 7(5) and 20(2)



of Cigarette and other Tobacco Products Act, 2003, in connection with Crime No.79 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused was found in illegal possession of banned tobacco products. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is no way connected with the above case and he has been falsely implicated in this case. The petitioner is in judicial custody from 07.05.2025 and hence, further custody of the petitioner is not required. He further submitted that the petitioner, without prejudice to his rights, is ready to deposit a sum of Rs.25,000/- to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner was



found in illegal possession of banned tobacco products and he has got two previous cases.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, the submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, 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.I, Vellore**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] **The petitioner shall deposit a sum of**



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Rs.25,000/-(Rupees Twenty Five 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 District Munsif cum Judicial Magistrate, Pochampalli and the receipt shall be produced at the time of executing the bond;

[c] the petitioner shall report before the respondent Police daily at 10.30 a.m., for a period of three weeks; thereafter as and when required for interrogation;

[d] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[e] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[f] 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;

[g] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been



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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)13 SCC 283]**;

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

06.06.2025

rsi

Note :

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 the official website of this Court will be watermarked and will also have a QR code.

To

1.The Judicial Magistrate - I,
Vellore.

2.The Inspector of Police,
Ariyoor Police Station,
Vellore,

3.The Superintendent,
Central Prison,



Vellore.

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4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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06.06.2025