



Crl.O.P.Nos.16802 & 17012 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 13.06.2025**

CORAM

**THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR**

**Crl.O.P.Nos.16802 & 17012 of 2025**

Sivakumar ... Petitioner/A1 in Crl.O.P.No.16802 of 2025

Praveenkumar ... Petitioner/A2 in Crl.O.P.No.17012 of 2025

Vs.

State Represented,  
By The Inspector of Police,  
Kariyapattinam Police Station,  
Nagapattinam District.  
(Crime No.111 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.111 of 2025 on the file of the Sub-Inspector of  
Police, Ariyoor Police Station, Vellore District.

For Petitioner

in Crl.O.P.No.16802 of 2025 : Mr.J.Jawahar

For Petitioner

in Crl.O.P.No.17012 of 2025 : Mr.U.Kathiravan

For Respondent : Mr.L.Baskaran  
Government Advocate (Crl.Side)



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### **COMMON ORDER**

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The petitioners, who were arrested and remanded to judicial custody on 20.05.2025, for the offence punishable under Sections 123 of BNS read with Section 7(1), 24(1) of Cigarette and other Tobacco Products Act, 2023 in Crime No.111 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioners along with other accused were found in illegal possession of 410 kgs of banned tobacco products. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioners,



reiterated the prosecution case.

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

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

7. Accordingly, the petitioners are 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 **District Munsif Cum Judicial Magistrate, Vedaranyam** 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 petitioners shall deposit a sum of Rs.1,00,000/-(Rupees One Lakh Thousand only) each (Non refundable) towards the account of CANCER INSTITUTE (WIA), Adayar, Savings Bank Account maintained at**



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Crl.O.P.Nos.16802 & 17012 of 2025

**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, Vedaranyam and the receipt shall be produced at the time of executing the bond;**

**[c] the petitioners shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for further interrogation;**

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

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

**[f] the petitioners 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 petitioners in accordance with law as if the aforementioned 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**



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**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.

**13.06.2025**

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**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 District Munsif Cum Judicial Magistrate,  
Vedaranyam.
- 2.The Inspector of Police,  
Kariyapattinam Police Station,  
Nagapattinam District.
- 3.The District Jail,  
Nagapattinam.
- 4.The Public Prosecutor,  
High Court of Madras.

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**M.NIRMAL KUMAR, J.**

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