



Crl.OP.No.17189 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 16.06.2025

CORAM  
**THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR**  
**CRL.OP.No.17189 of 2025**

1.Narayanan

2.Naresh

Petitioners

Vs

The State Rep By  
The Inspector of Police  
P-4 Basin Bridge Police Station,  
Chennai.

(Crime No.296 of 2025)

Respondent

**Prayer:-** Criminal Original Petition filed under Section 483 of Bharatiya  
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioners on bail pending  
investigation in Crime No.296 of 2025 pending on the file of the respondent  
police.

For Petitioners : Mr.C.K.M.Appaji

For Respondent : Mr.L.Baskaran

Government Advocate

(Criminal Side)

### **ORDER**

The petitioners, who were arrested and remanded to judicial custody  
on 24.05.2025, for the offence punishable under Sections 123 of BNS Act,  
77 JJ Act and 24 (1) of COTPA Act, in Crime No.296 of 2025, registered on  
the file of the respondent, seek bail.



Crl.OP.No.17189 of 2025

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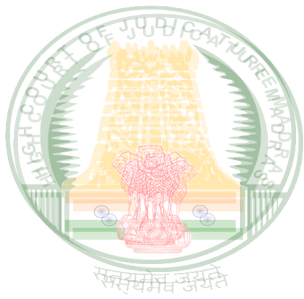
2.The case of the prosecution is that the petitioners were found in illegal possession of 1.160 grams of banned tobacco products. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they had been falsely implicated in this case. The petitioners are in judicial custody from 24.05.2025 and hence, further custody of the petitioners is not required. Hence, he prayed for grant of bail to the petitioners.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of bail to the petitioners.

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 and the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.



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7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each** with **two sureties**, each for a like sum to the satisfaction of the learned **X Metropolitan Magistrate, Egmore**, 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 report before the respondent Police daily at 10.30.a.m., for a period of three weeks; thereafter as and when required for interrogation;**

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

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

[e] the petitioners to give an undertaking that if required for being identified by witnesses during



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CrI.OP.No.17189 of 2025

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;

[f] 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 **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

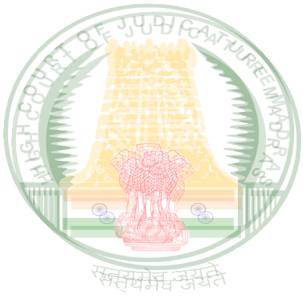
[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

**16.06.2025**

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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.



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Crl.OP.No.17189 of 2025

**M.NIRMAL KUMAR, J.**

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To:

- 1.The Inspector of Police  
P-4 Basin Bridge Police Station,  
Chennai.
- 2.X Metropolitan Magistrate,  
Egmore.
- 3.The Public Prosecutor,  
High Court Madras.
- 4.The Central Prison, Puzhal.

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CrI.OP.No.17189 of 2025

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