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Crl.O.P.No.17367 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.17367 of 2025

Senthilkumaran @ Senthilkumar

... Petitioner/A1

Vs.

The State Rep. by
The Inspector of Police,
Udumalpet Police Station,
Udumalpet, Tiruppur District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No.344 of 2025 on the file of the respondent police.

For Petitioner : Mr.D.Arun

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.05.2025, for the offences punishable under Sections 123 and 286 of BNS, 2023 in connection with Crime No.344 of 2025, registered on the file of the respondent, seeks bail.



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2.The case of the prosecution is that the petitioner was running a grocery shop and he was found to be in illegal possession of banned tobacco products. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the co-accused/A2 was granted anticipatory bail by this Court in Crl.O.P.No.16565 of 2025 on 12.06.2025. Hence, the custodial interrogation of the petitioner is not required and he prays for grant of bail to the petitioner. He further submitted that the petitioner, without prejudice to his rights and defence, is ready to deposit a sum of Rs.15,000/- 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. He further submitted that the co-accused/A2 was granted anticipatory bail by this Court in Crl.O.P.No.16565 of 2025 on 12.06.2025.

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



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6.Considering the facts and circumstances of the case, the submissions made by the learned counsels on either side and the fact that co-accused/A2 was already granted anticipatory bail by this Court in Crl.O.P.No.16565 of 2025 on 12.06.2025, 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, Udumalpet, Tiruppur District**, 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 Rs.15,000/- (Rupees Fifteen Thousand only) (Non refundable) towards the account of SRI RAMACHANDRA INSTITUTE OF HIGHER**



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EDUCATION AND RESEARCH, Current Account maintained at Indian Bank, SRU Branch, Porur, Chennai-600 116, bearing Current Account No.471533180, IFSC Code No.IDIB000S180 and to produce the Bank Challan before the Judicial Magistrate No.I, Udumalpet, Tiruppur District 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 two 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 imposed and the petitioner released on bail by



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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.

17.06.2025

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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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M.NIRMAL KUMAR, J.

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To

1.The Judicial Magistrate No.I, Udumalpet,
Tiruppur District.

2.The Inspector of Police,
Udumalpet Police Station,
Udumalpet, Tiruppur District.

3.The Superintendent,
Central Prison,
Coimbatore.

4.The Public Prosecutor,
High Court of Madras.

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