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CRL OP No. 17442 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17442 of 2025

AND

CRL OP NO. 17443 OF 2025

In Crl.O.P.No.17442 of 2025

DEENUGOWDA

Petitioner(s)

Vs

State rep.by, The Inspector of Police,
PALLADAM Police Station, Tiruppur
District.Cr.No.608 of 2025.

Respondent(s)

CRL OP No. 17443 of 2025

Hemanth Kumar

Petitioner(s)

Vs

State rep.by, The Inspector of Police,
PALLADAM Police Station, Tiruppur
District.Cr.No.608 of 2025.

Respondent(s)



CRL OP No. 17442 of 2025

PRAYER

This Criminal Original Petition is filed under Section 483 of BNSS to enlarge the petitioner on bail in Cr.No.608 of 2025, on the file of the Respondent Police.

CRL OP No. 17443 of 2025

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In both Crl.O.Ps'

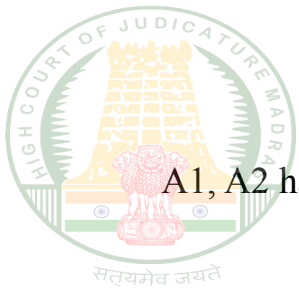
For Petitioner(S) : Mr.W.Camyles Gandhi

For Respondent (S) : Mr.R.Vinothraja, GA (Crl.Side)

COMMON ORDER

The petitioners, who were arrested and remanded to judicial custody on 01.06.2025, for the offence punishable under Sections 123, 275 of BNS and Sections 20(2), 7(1) of COTPA Act in Crime No.608 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that while the respondent police conducting routine vehicle checkup at that time, they intercepted a Eicher lorry bearing registration No.kA-11-C-5166 and found the petitioners with illegal possession of 750 kgs of banned Tobacco products. Based on the confession of



A1, A2 has been implicated in this case. Hence, the case.

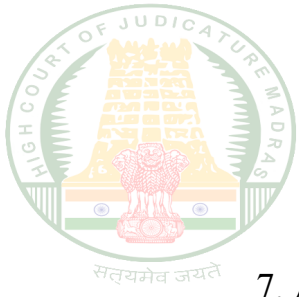
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3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the 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.

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.



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7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate 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, Palladam** and on further conditions that:

[a] the sureties shall affix his 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 his identity;

[b] the petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

[c] The petitioner in Crl.O.P.No.17442 of 2025 shall deposit a sum of **Rs.75,000/- (Rupees Seventy Fifty Thousand only)** (Non refundable) towards the account of **Tamil Nadu Advocate's Clerk's Association**, Account maintained at Indian Bank, High Court, bearing Account **No.484026006**, IFSC Code **No.IDIB000M157** and to



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produce the Bank Challan before the Judicial Magistrate, Palladam and the receipt shall be produced at the time of executing the bond;

[d] The petitioner in Crl.O.P.No.17443 of 2025 shall deposit a sum of Rs.25,000/- (Rupees Twenty Fifty Thousand only) (Non refundable) towards the account of Tamil Nadu Advocate's Clerk's Association, Account maintained at Indian Bank, High Court, bearing Account No.484026006, IFSC Code No.IDIB000M157 and to produce the Bank Challan before the Judicial Magistrate, Palladam and the receipt shall be produced at the time of executing the bond;

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

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

[g] 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;

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[h] 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];

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

03-07-2025

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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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To

1. The Inspector of Police,
PALLADAM Police Station, Tiruppur
District.

2. The Judicial Magistrate,
Palladam.
3. The Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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