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CRL OP No. 17616 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17616 of 2025

1. Mehar Singh

2. Ashok Rana

Petitioner(s)

Vs

The State of Tamilnadu Rep. by
the Inspector of Police,
Veeranam Police Station,
Salem District.
(Crime No.367/2025)

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 483 of BNSS 2023 to enlarge the petitioners on bail in Crime No.376 of 2025 on the file of Inspector of Police, Veeranam Police Station, Salem District.

For Petitioner(s): Mr.M.R.Elavarasan

For Respondent(s): Mr.L.Baskaran, GA (Crl Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.06.2025, for the offences punishable under Sections 6(b), 24(1) of Cigarette & Other Tobacco Product Acts 2003 and Section 77 of Juvenile Justice (Care and Protection of Children) Act 2015 in connection with Crime No.367 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that based on the secret information, on 04.06.2025, the respondent police conducted raid, intercepted the vehicle bearing Registration No.AP 40 CR 8654 and found the petitioners with possession of banned tobacco products. Hence, the case.

3. The contention of the petitioners are that the petitioners are innocent and have been falsely implicated in this case and there is no previous case against the petitioners. The learned counsel further submitted that the petitioners are suffering incarceration from 04.06.2025 and they 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.

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4. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and on instructions submitted that the contraband was seized from the petitioners and that the first petitioner is the owner of the Car bearing Reg. No.AP 40 CR 8654, the second petitioner is the helper and the case is under investigation, at this stage, if the petitioners are released on bail, there are every possibilities for tampering the witnesses and hampering the investigation, thereby, he strongly opposed to grant bail to the petitioners.

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

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, the contraband was seized from accused 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 each of the petitioners executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two local sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.IV, Salem** 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 first petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) (Non refundable) towards the account of SRI RAMACHANDRA INSTITUTE OF HIGHER 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.IV, Salem and the receipt**



shall be produced at the time of executing the bond;

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[c] The second petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) (Non refundable) towards the account of SRI RAMACHANDRA INSTITUTE OF HIGHER 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.IV, Salem and the receipt shall be produced at the time of executing the bond;

[d] the petitioners shall report before the respondent Police, on everyday at 10.30 a.m., for a period of three weeks;

[e] the 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;

[h] On breach of any of the aforementioned conditions, the



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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 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.

19-06-2025

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Index: Yes/No

Speaking/Non-speaking order

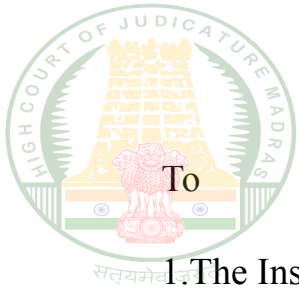
Internet: Yes

Neutral Citation: Yes/No

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 Inspector of Police,
Veeranam Police Sation,
Salem District.

2. The Judicial Magistrate No.IV,
Salem
3. The Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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