



Crl.O.P.No.18835 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18835 of 2025

1.Bakkiyaraj

... Petitioner/A1

2.Deena

... Petitioner/A2

Vs.

The State represented by,
Station House Officer,
Ulundurpet Police Station,
Kallakurichi District.

(Crime No.340 of 2025)

... Respondent

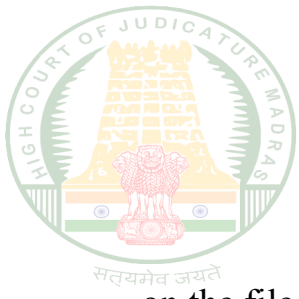
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on pending investigation bail in Crime No.340 of 2025 pending on the file of the respondent Police.

For Petitioners : Mr.G.Saravanabhavan

For Respondent : Mr.R.Vinothraja
Government Advocate (Criminal Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 23.06.2025 for the offences punishable under Sections 123 of the Bharatiya Nyaya Sanhita (BNS) r/w Section 24(1) of COTPA Act in Crime No.340 of 2025,



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on the file of the respondent, seeks bail.

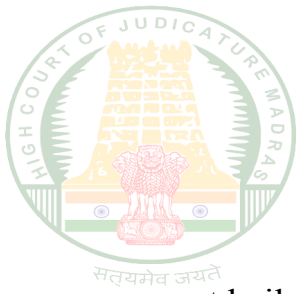
2. The case of the prosecution is that the accused was found to be in illegal possession of banned tobacco products weighing 2800 packets. Hence, the case.

3. The contention of the petitioners is that the petitioners are innocent and he was falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. He also submitted that without prejudice to defence, the petitioners are prepared to deposit considerable amount to any charitable Organization or Association. Hence, he prayed for grant of bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for granting bail to the petitioner. He further submitted that in respect of A-1 four cases, and in regard to A-2, two previous cases of similar nature are pending against the petitioners.

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

6. Considering the submissions made by the learned counsel appearing on either sides and taking note of the nature of the allegations and taking note of the period of incarceration undergone by the petitioner, this Court is inclined to



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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 **Judicial Magistrate No.I, Ulundurpet**, and on further conditions that:

[a] The petitioner/A-1 shall deposit a sum of **Rs.40,000/- (Rupees Forty 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, and shall produce the proof of payment before the learned Magistrate concerned at the time of executing the sureties;

[b] The petitioner/A-2 shall deposit a sum of **Rs.10,000/- (Rupees Ten 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, and



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shall produce the proof of payment before the learned Magistrate concerned at the time of executing the sureties;

[c] 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;

[d] 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;

[e] the petitioners shall not abscond either during investigation or trial and he 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 and shall not tamper with evidence or witness either during investigation or trial;

[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 learned Magistrate/Trial Court is entitled to



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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.

15.07.2025

cda

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 Judicial Magistrate No.I,
Ulundurpet.
2. Station House Officer,
Ulundurpet Police Station,
Kallakurichi District.
3. The Central Prison,
Cuddalore.



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M.NIRMAL KUMAR, J.

cda/ham

4. The Public Prosecutor,
High Court of Madras.

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