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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19492 of 2025

Kalidoss ... Petitioner

Vs.

State Represented by
The Inspector of Police,
M-1 Madhavaram Police Station,
Chennai
(Crime No.359 of 2025) ... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with Crime No.359 of 2025 on the file of the respondent police.

For Petitioner : Mr. R. Anbazhagan

For Respondent : Mr.R.Vinoth Raja
Government Advocate (Crl. Side)

O R D E R

The petitioner, who was arrested and remanded to judicial custody on 21.06.2025, for the offence punishable under Sections 274,275 and 123 of BNS Act and Section 24(1) of Cigarette and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce,

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Production, Supply and Distribution) Act, 2003 in Crime No.359 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of 40 Mava packets each containing 15 grams8.5 kgs. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that there are 15 previous cases against the petitioner.

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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 petitioner with certain conditions.

7. Accordingly, the petitioner is directed to deposit a sum of **Rs.25,000/- [Rupees Twenty Five Thousand Only]** as non-refundable deposit directly to the credit of **"Kanchipuram Advocate's Clerks Association in A/c.No.722370801, IFSC Code:TNSC0010200, The Kancheepuram Central Co-operative Bank Ltd,** without prejudice to his rights and contentions before the trial Court, on such deposit and production of proof, 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 **District cum Judicial Magistrate, Madhavaram, Chennai** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship

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[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 report before the respondent police daily at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;**

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

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

[e] 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;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in

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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**];**

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

10.07.2025

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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 District cum Judicial Magistrate, Madhavaram, Chennai

2.The Inspector of Police,
M-1 Madhavaram Police Station,
Chennai

3.The Central Prison, Puzhal, Chennai

4.The Public Prosecutor,
High Court of Madras.

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M.NIRMAL KUMAR, J.

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Crl.O.P.No.19492 of 2025

10.07.2025

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