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Crl.O.P.No. 19844 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2025

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.19844 of 2025

1. G.Kaleeshwaran

2. Patturaj

... Petitioners

Vs.

State Rep. By the,
Inspector of Police,
J-5, Sastri Nagar Police Station,
Chennai.

Crime No. 81 of 2025.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioners on bail in Crime No.81
of 2025 pending investigation on the file of the respondent.

For Petitioners : Mr.P.Pugalenth

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

ORDER

The petitioners were arrested on 21.06.2025, for the offence punishable
under Sections 123 BNS, Section 6(b) and 24(1) of Cigarette and other Tobacco



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Products Acts, 2003 in connection with Crime No. 81 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioners were caught with about 560 kilograms of Gutka. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are an innocent person and they have been falsely implicated in this case. He also submitted that the petitioners are in no way connected with the alleged offence, however, they are suffering incarceration from 21.06.2025. 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 and submitted that the petitioners were arrested on 21.06.2025 and no previous cases are pending against the petitioners.



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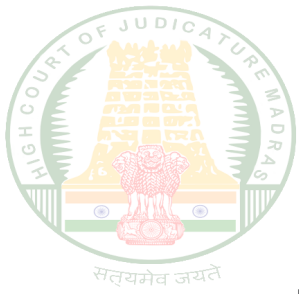
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5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners shall donate a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each to the credit of the RAY OF LIGHT FOUNDATION; A/c No : 50100078904233; IFSC code : HDFC0001864; No.10, Nageswara Road, Nungambakkam, Chennai, Tamil Nadu 600034; Ph No.8939065431 and on such donation, the petitioners shall be released on bail on their executing separate bond for a sum of **Rs.10,000/- (Rupees ten thousand only)** with **two sureties (out of which, one shall be a blood - related surety)**, each for a like sum to the satisfaction of the **learned 9th Metropolitan Magistrate Court at Saidapet, Chennai** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.



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[b] the petitioners shall donate a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each to the credit of the RAY OF LIGHT FOUNDATION; A/c No : 50100078904233; IFSC code : HDFC0001864; No.10, Nageswara Road, Nungambakkam, Chennai, Tamil Nadu 600034; Ph No.8939065431.

[c] the petitioners shall report before the respondent police daily at 10.30.a.m., for a period of 15 days and thereafter as and when required for interrogation.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the 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)AIR SCW 5560]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

14.07.2025

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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.

To

1. The 9th Metropolitan Magistrate Court at Saidapet, Chennai.
2. The Inspector of Police,
J-5 Sastri Nagar Police Station,
Chennai.
3. The Central Prison -2, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN, J.
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