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CrI.O.P.No.20304 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.20304 of 2025

1.Usha

2.Bhuvaneshwari

... Petitioners/A2 & A3

Vs.

State Rep. by

The Inspector of Police,

Thiyagadurugam Police Station,

Kallakurichi.

(Crime No.289 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.289 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Ms.S.Sadhana

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



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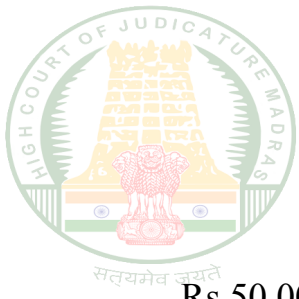
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ORDER

The petitioners, who were arrested and remanded to judicial custody on 03.07.2025, for the offence punishable under Section 123 of BNS, 2023 r/w 24 (1) of Cigarette and other Tobacco Products Act, 2003, in connection with Crime No.289 of 2025, registered on the file of the respondent, seek bail.

2. The case of the prosecution is that the petitioners along with other accused were found in illegal possession of 29 kgs. of banned tobacco products. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. The petitioners are in judicial custody from 03.07.2025 and hence, further custody of the petitioners is not required. He further submitted that the petitioners, without prejudice to their rights, are ready to deposit a sum of



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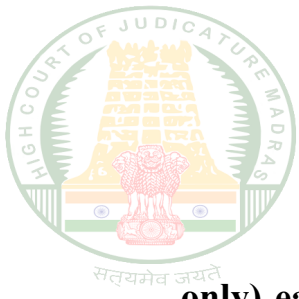
Rs.50,000/- each, to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of bail to the petitioners.

4.The 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 have got no previous case.

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

6.Considering the facts and circumstances of the case, the submissions made by the learned counsel 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 are ordered to be released on bail on their executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand**



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only) each, with two sureties, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Kallakurichi**, 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 petitioners shall deposit a sum of **Rs.50,000/- (Rupees Fifty Thousand only) (Non refundable) each, 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 concerned Judicial Magistrate and the receipt shall be produced**



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at the time of executing the bond;

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

[d] the petitioners shall make themselves available for interrogation by a Police Officer as and when required;

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

[f] 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, they shall comply to the directions as may be given by the Court in this regard;

[g] 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



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the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

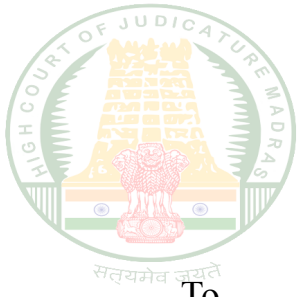
[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

18.07.2025

rsi

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
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1.The Judicial Magistrate No.II,
Kallakurichi.

2. The Inspector of Police,
Thiyagadurugam Police Station,
Kallakurichi.

3.The Superintendent,
Sub Jail for Women,
Villupuram.

4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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