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CrI.O.P.No.20498 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.20498 of 2025

1.Kuldeep Singh

2.Rajakumar

... Petitioners/A1 & A2

Vs.

The State by

The Inspector of Police,

Hosur Town Police Station,

Krishnagiri District.

(Crime No.291 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.291 of 2025 on the file of the respondent police.

For Petitioner : Mr.P.M.Jayachandran

For Respondent : Mr.R.Vinothraja

Government Advocate (CrI.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 09.07.2025, for the offence punishable under Sections 123, 275 of BNS,



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2023 r/w 24(1) of Cigarette and other Tobacco Products Act, 2003 in connection with Crime No.291 of 2025, registered on the file of the respondent, seek bail.

2. The case of the prosecution is that the petitioners were found in illegal possession of 260 kgs. of banned Tobacco products. Hence, the case.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners, without prejudice to their rights and defence, are ready to deposit a sum of Rs.50,000/- each, to any welfare scheme of the Government or any other organization. Hence, he prayed for granting bail to the petitioners.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and strongly opposed for granting bail to the petitioners.



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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 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 are ordered to be released on bail on their executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each**, with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Hosur**, 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) each, (Non refundable)**



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towards the account of Government Arignar Anna Memorial Cancer Hospital and Research Institute, Kancheepuram in Savings Bank Account No.015701000013540, Indian Overseas Bank, Kancheepuram Main Branch, Kancheepuram - 631 501, IFSC Code: IOBA0000157, MICR No: 600020152 and to produce the Bank Challan before the concerned Magistrate and the receipt shall be produced at the time of executing the bond;

[c] the petitioners shall report before the respondent Police daily at 10.30 a.m., until further orders;

[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



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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]**;

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

21.07.2025

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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 Judicial Magistrate No.II,
Hosur.

2.The Inspector of Police,
Hosur Town Police Station,
Krishnagiri District.

3.The Superintendent,
Sub Jail, Hosur.

4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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