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Crl.O.P.No.20688 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.20688 of 2025

Faisal, M/44 years,
S/o Moideen
Parampil House,
Rikottakari Village
Yankunnu Post
Kannur District
Kerala State

..Petitioner/Accused No.1

/versus/

State rep.by
Inspector of Police,
SIPCOT Police Station
Krishnagiri District
(Crime No.289 of 2025)

.. Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending
investigation in Crime No.289 of 2025 on the file of the respondent police.

For Petitioner	:Mr.R.Geethalakshmi
For Respondent	:Mr.L.Baskaran
	Government Advocate (Crl. Side)



Crl.O.P.No.20688 of 2025

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ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.07.2025, for the offences punishable under Sections 123 of BNS Act and Sections 7, 20(1) of COPTA Act and Section 4(1)(C) of TNP Act in Crime No.289 of 2025 registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner is alleged to have found in possession of banned tobacco products worth about Rs.3,91,680/-.

3. The learned counsel appearing for the petitioner seeks bail stating that he is an innocent person and he has not committed any offence.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that this petitioner is the owner-cum-driver of the vehicle in which the banned tobacco was transported from Karnataka to Tamil Nadu, where there is ban on selling chewing tobacco.



CrI.O.P.No.20688 of 2025

WEB COPY

5.Considering the quantity of the contraband transported and the fact that the petitioner is the owner-cum-driver of the vehicle, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on depositing a sum of **Rs.1,00,000/- (Rupees one lakh only) in the account pertaining to Crime No.289 of 2025** on the file of the Judicial Magistrate-II, Hosur, and on such deposit, the surety may be considered and on further conditions that:

[a] The petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees twenty five thousand only) with two sureties**, each for a likesum to the satisfaction of the **learned Judicial Magistrate-II, Hosur;**

[b]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;

[c] **the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;**

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned



CrI.O.P.No.20688 of 2025

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];

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

14.08.2025

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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-II, Hosur,
- 2.Inspector of Police, SIPCOT Police Station, Kirshnagiri District
- 3.The Superintendent, Sub Jail, Hosur.
- 4.The Public Prosecutor, High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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Crl.O.P.No.20688 of 2025

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